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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

IRRIGATION & WATERWAYS DEPARTMENT

NOTIFICATION

No. 8-I.—1st July 1974.—In pursuance of the provision of sub-section (3) of section 1 of the West Bengal Irrigation (Imposition of Water Rate) Ordinance, 1974, (West Bengal Ordinance VII of 1974), the Governor is pleased hereby to appoint the 1st day of July 1974, as the date on which the said Ordinance shall come into force.

By order of the Governor,
C. N. PENN-ANTHONY,
Commissioner and Secy., Govt. of West Bengal.

EDUCATION DEPARTMENT

Secondary

NOTIFICATION

No. 751-Edn(S)/8B-19/72-Pt. I.—1st July 1974.—Whereas Shri Satyendra Mohan Chatterjee, Registrar, University of Burdwan, was appointed President of the West Bengal Board of Secondary Education under sub-section (1) of section 10 of the West Bengal Board of Secondary Education Act, 1963 (West Ben. Act V of 1963) read with sub-section (2) of

section 10 of the said Act, for the unexpired portion of the term of office of Shri Bhupesh Chandra Mukherjee, who resigned the office of the President of the West Bengal Board of Secondary Education with effect from the 1st January 1973 ;

And whereas the said unexpired portion of the term of office of Shri Bhupesh Chandra Mukherjee is due to expire on the 15th July 1974 ;

Now, therefore, in exercise of the power conferred by sub-section (1), read with sub-section (2), of section 9 of the West Bengal Board of Secondary Education Act, 1963 (West Ben. Act V of 1963), the Governor is pleased hereby to appoint Shri Satyendra Mohan Chatterjee as President of the West Bengal Board of Secondary Education for the period from the 16th July 1974 to the 31st December 1977

By order of the Governor,
B. N. CHATTERJEE,
Jt. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

MALDA.—No. 11702-L.A.(II) 4I-2/74.—1st July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894) in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55 Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of Constitution of India as S. R. O. 1071, and published at page 868, Part II, section 3 of the "Gazette of India", dated 21st May 1955;

And Whereas it appears to the Governor that land is likely to be needed for public purpose, namely, for Farakka Barrage Project in the village of Govindapur, jurisdiction list No 86, police-station Manikchak, district Malda;

It is hereby notified that a piece of land as described in the schedule below and measuring, more or less, 8·4013 hectares (20·76 acres) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Govindapur.

This notification is made, under the provision of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Berhampore Babupara Main Road, Post Office Berhampore, district Murshidabad.

In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorise the officer for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by sub-section (4) of section 17 of the Land Acquisition Act of 1894 (1 of 1894) read with the said notification, the Governor is pleased to direct that the provisions of section 5A of the Act shall not apply to waste or arable lands described in schedule below to which in the opinion of the Governor the provision of sub-section (1) of section 17 of the Act are applicable.

Schedule

Mauza Gobindapur, jurisdiction list No 86, police-station Manikchak, district Malda.

L. S. plots in part—

Plot No	Description of the specific portion to be acquired.	Area in Acre.	Area in Hectare.
1	Middle	1·10	0·4452
3	Middle	0·26	0·1052
4	Middle	0·45	0·1821
5	Middle	0·44	0·1781
6	Middle	0·48	0·1942
8	Middle	1·90	0·7689
12	Middle	1·88	0·7608
13	Middle	1·85	0·7486
14	Middle	0·98	0·3966
15	Middle	1·05	0·4249
19	Middle	0·28	0·1133
20	Middle ..	0·50	0·2023
21	Middle	0·32	0·1295
22	Middle	0·96	0·3885
23	Middle	1·36	0·5504
30	Middle	0·36	0·1457
31	Middle	0·75	0·3035
32	Middle	0·36	0·1457
33	Middle	1·15	0·4654
38	Middle	0·80	0·3237
48	Middle	0·88	0·3561
1/334	Middle	2·65	1·0724

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio), to the Govt. of West Bengal.

DECLARATION

MALDA.—No. 11710-L.A.(II)/4I-2/74.—1st July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause(1) of Article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3, of the "Gazette of India", dated 21st May 1955;

And whereas the Governor is satisfied that land is needed for a public purpose, namely, for the Farakka Barrage Project in the village of Gobindapur, jurisdiction list No. 86, police-station Manikchak, district Malda, it is hereby declared that a piece of land as described in the schedule below and measuring, more or less 8, ·4013 hectares (20·76 acres), is needed for the aforesaid public purpose at the public expense within the aforesaid village of Gobindapur.

This declaration is made, under provisions of section 6 of Act I of 1894, read with sub-section (4) of section 17 of the Act along with the aforesaid notification.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farrakka Barrage Project, Berhampore, Babupara Main Road, Post Office Berhampore, district Murshidabad.

Schedule

Mauza Gobindapur, jurisdiction list No. 86, police-station Manikchak, district Malda.

L. S. plots in part—

Plot No.	Description of the specific portion to be acquired	Area in Acre.	Area in Hectare.
1	Middle	1·10	0·4452
3	Middle	0·26	0·1052
4	Middle .. .	0·45	0·1821
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6	Middle	0·48	0·1942
8	Middle	1·90	0·7689
12	Middle	1·88	0·7608
13	Middle	1·85	0·7486
14	Middle	0·98	0·3966
15	Middle	1·05	0·4249
19	Middle	0·28	0·1133
20	Middle	0·50	0·2023
21	Middle	0·32	0·1295
22	Middle	0·96	0·3885
23	Middle	1·36	0·5504
30	Middle	0·36	0·1457
31	Middle	0·75	0·3035
32	Middle	0·36	0·1457
33	Middle	1·15	0·4654
38	Middle	0·80	0·3237
48	Middle	0·88	0·3561
1/334	Middle .. .	2·65	1·0724

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

WEST BENGAL ORDINANCE No. VII OF 1974.

THE WEST BENGAL IRRIGATION (IMPOSITION OF WATER RATE) ORDINANCE, 1974.

WHEREAS it is expedient to provide for the imposition of water rate in areas where water supplied from irrigation works executed, maintained or controlled by the State Government is available for irrigation and for certain matters ancillary thereto and connected therewith;

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (*1*) of article 213 of the Constitution of India, to make and promulgate the following Ordinance, namely:—

CHAPTER I

Preliminary

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the West Bengal Irrigation (Imposition of water rate) Ordinance, 1974.

*(2) It extends to the whole of West Bengal, except the areas to which the West Bengal Irrigation (Imposition of water rate for Damodar Valley Corporation Water) Act, 1958, applies. West Ben. Act XXVI of 1958.

The West Bengal Irrigation (Imposition of water rate) Ordinance, 1974.

(Chapter I.—Preliminary.—Section 2.)

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions.

2. In this Ordinance, unless there is anything repugnant in the subject or context,—

(1) "canal" means any river, stream, distributory, reservoir, dam, weir, pond, tank, pool or sheet of water, worked, improved, maintained or constructed by the State Government or by any agency under arrangement with the State Government in connection with the promotion and operation of any scheme for irrigation or drainage, and includes—

(i) any supply or escape channel, conduit, sluice, groin or other inlet into or outlet from such canal, and

(ii) any land on the bank of the canal which may or may not be covered by water;

(2) "Canal Revenue Officer" means an officer appointed by the State Government to perform the functions of a Canal Revenue Officer under this Ordinance;

(3) "Collector" includes an Additional Collector and any other officer not beolw the rank of a Deputy Collector, appointed by the State Government to perform all or any of the functions of a Collector under this Ordinance;

(4) "field channel" means a channel constructed and maintained by owners or occupiers of lands within a notified area or by the State Government under section 12 for leading water from the outlet of a canal or from a water course to such lands;

(5) "irrigation work" means any work or system of works executed, maintained or controlled by the State Government in connection with the promotion and operation of any scheme for irrigation or drainage and includes a canal and a water course;

(6) "*kharif* season" means the part of the year from July to October;

(7) "land" means land ordinarily used for purposes of agriculture or horticulture, and includes such land notwithstanding that it may be lying fallow for the time being and also includes tank in which water from any canal is stored;

(8) "notification" means a notification published in the *Official Gazette*;

(9) "notified area" means any area in respect of which the State Government has by a notification issued under sub-section (2) of section 5, declared its intention to impose a water rate and includes any part of such area;

(10) "prescribed" means prescribed by rules made under this Ordinance;

(11) "public demand" means a public demand as defined in the Bengal Public Demands Recovery Act, 1913; Ben. Act III of 1913.

(12) "*rabi* season" means the part of the year from November to February;

(13) "season" means month or months of the year when cultivation is carried on;

(14) "summer season" means the part of the year from March to April;

(15) "year" means a period of twelve months commencing from July.

The West Bengal Irrigation (Imposition of water rate) Ordinance, 1974.

(Chapter I.—Preliminary.—Section 3.—Chapter II.—Imposition and assessment of water rate.—Sections 4—7.)

Ordinance to override other laws.

3. The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force or in any contract or usage.

CHAPTER II

Imposition and assessment of water rate

Preliminary notification for imposition of water rate.

4. (*1*) Whenever the State Government is of opinion that lands in any area are benefited or are likely to be benefited by irrigation during *kharif* season, *rabi* season or summer season by water supplied from any irrigation work, the State Government may, by notification, declare its intention to impose in such area a water rate for every *kharif* season, *rabi* season or summer season, as the case may be.

(*2*) Such notification shall contain as full a description of the irrigation work as, in the opinion of the State Government, may be practicable and the boundaries of the area within which the State Government intends to impose the water rate.

Notified area for imposition of water rate.

5. (*1*) On the publication of a notification under section 4, any person interested in any land likely to be affected by the imposition of the water rate may, within a period of thirty days from the date of publication of the said notification, prefer objection to the State Government against the intended imposition of the water rate or the inclusion of such land in the area in respect of which the declaration has been made under section 4.

(*2*) On the expiry of the period referred to in sub-section (*1*), the State Government may, after considering the objections, if any, declare its intention either wholly to refrain from imposing the water rate or to impose the same in the area in respect of which the declaration under section 4 was made or in a specified part thereof, whereupon the said area or the specified part thereof shall be deemed and shall continue to be deemed for the purposes of this Ordinance, to be a notified area for every *kharif* season, *rabi* season or summer season, as the case may be:

Provided that the State Government may, so far as may be in the manner hereinbefore provided, from time to time, include in or exclude from any notified area any area which was benefited or was not benefited, as the case may be, by water supplied from the irrigation work.

Imposition of water rate.

6. In respect of any notified area, the State Government may issue a notification proposing to impose water rate at such rates not exceeding,—

(*a*) rupees thirty-two for an area of .4047 hectares for *kharif* season,

(*b*) rupees forty-eight for an area of .4047 hectares for *rabi* season,

(*c*) rupees one hundred and sixty for an area of .4047 hectares for summer season,

as may be specified in the notification and the water rate so imposed shall remain effective until revised by the State Government by a similar notification issued under this section.

Liability for payment of water rate.

7. Notwithstanding anything to the contrary contained in any other law for the time being in force or in any custom, usage or contract, the liability for payment of water rate shall be on the occupiers of lands included in the notified area in which the water rate is imposed:

Provided that where any such land is cultivated by a *bargadar* as defined in clause (*2*) of section 2 of the West Bengal Land Reforms Act, 1955, the liability for payment of the water rate shall be on the owner of such land:

West Ben. Act X of 1956.

The West Bengal Irrigation (Imposition of water rate) Ordinance, 1974.

(Chapter II.—Imposition and assessment of water rate.—Sections 8—10.)

Provided further that when water rate is paid by the owner of any land cultivated by a *bargadar*, the owner shall be entitled to recover from the *bargadar* half of the amount paid by him as water rate.

Assessment of water rate.

8. (*1*) As soon as possible after a notification under section 6 imposing or revising a water rate in any notified area is published, the Canal Revenue Officer shall prepare and publish in the prescribed manner an assessment list containing the names of all persons who are liable to pay the water rate and the amount of such water rate payable for the *kharif* season, *rabi* season or summer season, as the case may be.

(*2*) Any person on whom the water rate has been assessed under sub-section (*1*) may, within thirty days from the date of publication of such assessment list, prefer before the Canal Revenue Officer, in such manner as may be prescribed, an appeal against the inclusion of his name in the assessment list or against the amount assessed.

(*3*) The Canal Revenue Officer shall, after considering the objection, if any, publish in such manner as may be prescribed a final assessment list indicating the amount of water rate assessed.

(*4*) An assessment list as finally published under sub-section (*3*) shall not be altered or modified except when the rate at which water rate is to be imposed in any notified area is revised under section 6:

Provided that the Canal Revenue Officer may, on his own motion or on application made to him in this behalf, make any correction in the assessment list by adding names of new assessees or the successors-in-interest of persons who were previously recorded as assessees and the provisions of sub-sections (*1*) to (*4*) shall apply *mutatis mutandis* to any such correction.

(*5*) An assessee shall be liable to pay up the water rate first time within three months from the date of publication of the final assessment list and thereafter within fifteen days from the date of commencement of the particular season for which such water rate is payable.

(*6*) An arrear of water rate shall bear interest at the rate of six *per cent. per annum.*

Power to grant remission

9. (*1*) If in any season there is failure of supply of water in respect of any land, the assessee may apply within ten days of the end of the season before the Canal Revenue Officer, for remission of water rate and the Canal Revenue Officer may, in the prescribed manner, grant such remission as he considers justifiable after holding such enquiries as he considers necessary.

(*2*) Excess realisation of water rate in any season may, on application by the assessee, be adjusted against the water rate for the next season.

Copies of entries in assessment list.

10. Copies of entries in an assessment list published under sub-section (*1*) of section 8 shall be made available in the prescribed manner on payment of the prescribed fee.

The West Bengal Irrigation (Imposition of water rate) Ordinance, 1974.

(Chapter II.—Imposition and assessment of water rate.—Sections 11—15.)

Arrears of water rate recoverable as public demand.

11. All arrears of water rate together with interest, if any, shall be recoverable as public demand.

Field channels for free passage of water for irrigation or drainage through or over all lands.

12. (*1*) The owners or occupiers of all lands in a notified area shall be bound to afford free passage to water from the outlet of a canal through or over lands in their possession or under their control and for that purpose to allow, when so required by the Collector by order made in this behalf, the construction and maintenance of such field channels as may be necessary.

(*2*) If any person refuses to comply with an order made under sub-section (*1*), the Collector may cause the field channels to be constructed or maintained and may recover the cost thereof from such person as public demand.

(*3*) Notwithstanding anything contained in any other law for the time being in force, no person shall be entitled to claim any compensation for any damage or loss which may be caused as a result of the construction or maintenance of any field channel over his land under this section.

Penalty for diversion of normal flow of water from field channel, or canal by obstruction, etc.

13. (*1*) If any obstruction is caused in any field channel or canal or any cut is made on the bank thereof as a result of which the normal flow of water through such field channel or canal is diverted for the purpose of irrigating any particular land, the Collector may—

(*a*) take such measures as he considers necessary to remove such obstruction or close such cut, and

(*b*) without prejudice to the provisions of section 8, impose a penalty, which may extend to ten times the water rate assessed for the *kharif* season, *rabi* season or summer season, as the case may be, having regard to the time when the obstruction is put or the cut is made, on the person who is the owner or occupier of the land sought to be irrigated by the water so diverted, after giving him an opportunity of showing cause against the imposition of such penalty:

Provided that no such penalty shall be imposed on any person who proves to the satisfaction of the Collector that such obstruction was put or such cut was made without his knowledge or consent.

(*2*) Any penalty imposed under this section shall be recoverable as public demand.

(*3*) Any person aggrieved by an order imposing a penalty on him under this section may, within thirty days from the date of the order, appeal to such appellate authority as may be prescribed and the decision of the appellate authority in such appeal shall be final.

Indemnity.

14. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Ordinance or any rule or order made thereunder.

Power to make rules.

15. (*1*) The State Government may make rules for carrying out the purposes of this Ordinance.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner of publication of notifications issued under this Ordinance;

The West Bengal Irrigation (Imposition of water rate) Ordinance, 1974.

(Chapter II.—Imposition and assessment of water rate.—Section 15.)

(*b*) the form and manner of preparation and publication of assessment list under sub-sections (*1*) and (*3*) of section 8;

(*c*) the contents of a petition of appeal under section 8, and the fees, if any, to be paid on such petition and the procedure to be followed in such appeal;

(*d*) the manner of remission of water rate under section 9;

(*e*) the manner of, and the amount of fees payable for, supplying copies under section 10;

(*f*) the appellate authority to whom appeals under sub-section (*3*) of section 13 shall lie and the procedure to be followed by the appellate authority; and

(*g*) any other matter which may be or is required to be prescribed under this Ordinance.

ANTHONY L. DIAS,

Governor of West Bengal.

The 30th June 1974.

K. K. MOITRA,

Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 11791LA(PW)/1L-139/74.—1st July 1974.—Whereas 4·20484 hectares (11·37 acres), more or less, of land, situated in or near the villages of Dakshinsole and others described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation, namely, for the excavation of Dy. No. 12L of Tarafeni South Main Canal (North) in connection with Kangsabati Project;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all wom it may concern.

A plan of the land may be inspected in the office of the Collector, Midnapore.

Description of the land

Mauza Dakshinsole, J. L. No. 425, police-station Jhargram, district Midnapore

Revisional survey plots, in part—

Plot No.	Specific portion of the plot.		Area in acre	Area in hectare
12	South-eastern	..	·06	·02430
13	Western	..	·14	·05670
14	Western	..	·05	·02025
15	Eastern	..	·16	·06480
16	Eastern	..	·09	·03645
25	Middle ..	..	·25	·10125
26	Middle	..	·37	·14985
31	Western	..	·06	·02430
35	North-western	..	·005	·00202
36	Middle ..	..	·39	·15795
39	Middle	..	·25	·10125
40	North-western	..	·30	·12150
62	Southern	..	·27	·10935
63	Middle ..	..	·75	·30375
64	Southern	..	·18	·07290
92	Southern	..	·10	·04050
93	Southern	..	·04	·01620
94	Northern	..	·15	·06075
107	Northern	..	·20	·08100
108	Northern	..	·14	·05670
30/281	South-eastern	..	·06	·02430
30/282	Northern	..	·20	·08100
30/283	Eastern	..	·09	·03645
33/285	Western ..	..	·21	·08505
36/286	South-eastern	..	·05	·02025
40/287	Middle ..	..	·14	·05670

Mauza Rajadihi, jurisdiction list No. 424, police-station Jhargram, district Midnapore.

Revisiona survey plots in part—

Plot No.	Specific portion of the plot	Area in acre	Area in hectare
15	South-eastern ..	·09	·03645
20	Middle and Western	46	·18640
22	Middle ..	·48	·19440
24	Middle ..	·57	·23085
25	Middle ..	·30	·12150
26	Middle ..	·50	·20250
2/86	South-east corner ..	·005	·00202
2/90	Middle ..	·77	·31185
15/101	Middle ..	·22	·08910

Mauza Kristanagar, jurisdiction list No. 404, police-station Jhargram district Midnapore.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1	Eastern ..	·34	·13770
2	North-eastern ..	·19	·07695
15	Western ..	·25	·10125
16	South-eastern ..	·02	·00810
18	Middle ..	·29	·11745
19	Middle ..	·34	·13770
20	Western ..	·39	·15795
27	Middle	·23	·09315
28	Middle ..	·71	·28755
29	Western ..	·36	·14590
30	North-western ..	·06	·02430
16/108	Southern ..	09	·03645

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF POWER

ORDERS

No. 3403-Power.—29th June 1974.— In exercise of the power conferred by section 22B of the Indian Electricity Act, 1910 (9 of 1910), the Governor is pleased hereby to make the following amendment in the West Bengal State Electricity (Maintenance of Supply) Order, 1972, published with this department Order No. 6950-Power, dated the 30th December 1972, at pages 4 to 17 of Part I of the "Calcutta Gazette, Extraordinary" of the 2nd January 1973, as subsequently amended (hereinafter referred to as the said order), namely:

Amendment

In the said order, in sub-paragraph (3) of paragraph 1, for the words and figures "till the 30th June 1974" substitute the words and figures "till the 31st July 1974."

By order of the Governor,
S. DUTTA,
Dy. Secy. to the Govt. of West Bengal.

No. 3404-Power.—29th June 1974.—In exercise of the power conferred by section 22B of the Indian Electricity Act, 1910 (9 of 1910), the Governor is pleased hereby to make the following amendment in the West Bengal State Electricity (Maintenance of Supply) Order, 1972, published with this department Order No. 6951-Power, dated the 30th December 1972, at pages 17 to 23 of Part I of the "Calcutta Gazette, Extraordinary" of the 2nd January 1973, as subsequently amended (hereinafter referred to as the said order), namely:

Amendment

In the said order, in sub-paragraph (3) of paragraph 1, for the words and figures "till the 30th June 1974" substitute the words and figures "till the 31st July 1974."

By order of the Governor,
S. DUTTA,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

COMMERCE AND INDUSTRIES DEPARTMENT

Industries (Pl.)

RESOLUTION

No. 3366-Ind./Pl.—28th June 1974.—The Governor has been pleased to direct that the term of office of the Development Committee for Electronics Industry constituted under this Department Resolution No. 965-Ind./Pl., dated 20th March 1972, which was already extended up to the 19th June 1974, under Resolution No. 761-Ind./Pl., dated 23rd March 1973, and Resolution No. 1006-Ind./Pl., dated 16th March 1974, be further extended by a period of three months, with effect from 20th June 1974.

Order

Ordered that the Resolution be published in an Extraordinary Issue of the Calcutta Gazette and be circulated to all Members and Member-Convenor of the Committee, all Recognised Chambers of Commerce, all Departments, all Directorates/Offices under this Department, Divisional Commissioners, D.Ms. and concerned Ministries of the Central Government.

By order of the Governor,

S. S. VARMA.

Industries Commissioner and
Secy. to the Govt. of
West Bengal.

NOTIFICATIONS

No. 3123-Ind./Pl.—10th June 1974.—In exercise of the powers conferred by article 125(A)(a) of the Articles of Association of the West Bengal Sugar Industries Development Corporation Ltd. (hereinafter referred to as the said Corporation) and in partial modification of this Department notification No. 1042-Ind., dated the 31st May 1973 (hereinafter referred to as the said notification), the Governor is pleased to appoint the following persons as Directors of the said Corporation:

1. Shri K. Misra, I.A.S., Joint Secretary to the Government of West Bengal, Finance Department, vice Shri B. Sen Gupta, Ex-Deputy Secretary, Finance Department since transferred (item 3 of the Schedule to the said notification).
2. Shri B. Mandal, Director of Agriculture, West Bengal, vice Dr. A. K. Dutta, Ex-Director of Agriculture, West Bengal (item 5 of the Schedule to the said notification).

The Governor is also pleased to direct that the Directors hereby appointed will hold office, with effect on and from the date hereof till the expiry of the period referred to in the last paragraph of the said notification.

By order of the Governor,

S. S. VARMA,

Industries Commissioner and
Secy. to the Govt. of
West Bengal.

No. 3336-Ind./Pl.—26th June 1974.—In exercise of the power conferred by sub-section (3) of section 4 of the West Bengal Industrial Infrastructure Development Corporation Act, 1974 (West Ben. Act XXV of 1974) and in partial modification of this department notification No. 1647-Ind./Pl., dated the 30th April 1974, the Governor is pleased hereby to nominate Mr. K. Hartley, Chairman, Eastern Region of the Association of Indian Engineering Industry as member of the West Bengal Industrial Infrastructure Development Corporation, vice Shri P. K. Nanda, President, Association of Indian Engineering Industry.

By order of the Governor,
S. S. VARMA,
Industries Commissioner and
Secy. to the Govt. of
West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION —

MALDA.—No. 11738L.A.(II)/4I-6/74.—1st July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the Government by Notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of Constitution of Inda as S.R.O. 1074, and published at page 868, Part II, section 3, of the "Gazette of India" dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for public purpose namely, for Farakka Barrage Project in the village of Sultanpur, jurisdiction list No. 57, P.S. English Bazar, district Malda, it is hereby notified that a piece of land comprising C.S. plot No. 1546/1553 and measuring, more or less, 0.3682 of a hectare (0.91 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Sultanpur.

This notification is made, under the provision of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Babupara Main Road, P.O. Berhampur, district Murshidabad.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officer for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in written before the Collector, Malda.

By order of the Governor,
S. GHOSH,
Spl. Officer & Dy. Secy. (Ex-officio)
to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 3232/M1M-74/73.—2nd July 1974.—Whereas the term of four years provided by clause (a) of sub-section (1) of section 56 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), for which the Commissioners of the Bhatpara Municipality in the district of 24-Parganas as at present constituted were to hold office expired on the 15th August 1972;

And whereas, by Notification No. 642/M1M-116/71, dated the 21st February 1972, No. 12/M1M-116/71, dated the 4th January 1973 No. 2416/M1M-74/73, dated the 13th July 1973 and No. 5091/M1M-74/73, dated the 16th November 1973, the said term was extended up to the 15th July 1974;

And whereas, the Governor thinks it fit to extend the said term of office of the Commissioners of the said municipality for the purpose of holding the general election;

Now, therefore, in exercise of the power conferred by sub-section (5) of section 56 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased hereby to extend the term of office of the Commissioners of the Bhatpara Municipality for a further period from the 16th July 1974 to the 15th August 1974, both the days inclusive.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3233/M1M-93/73Pt. IV.—2nd July 1974.—In exercise of powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), hereinafter referred to as said Act and in partial modification of notification No. 3053/M1M-93/73-Part IV, dated the 6th June 1974, the Governor is pleased to appoint Shri A. B. Thakur, Deputy Magistrate and Deputy Collector, Bongaon, to be the Executive Officer of the Bongaon Municipality in the district of 24-Parganas, in addition to his own duties, with effect from the date he takes over charge as Executive Officer, Bongaon Municipality, from Shri Ratanmoy Ghosh, Extension Officer (Panchayats) and Executive Officer, Bongaon Municipality, and to confer on him the powers and duties of the Chairman and the Commissioners conferred on the Executive Officer in notification 2338/M1M-93/73, dated the 7th July 1973.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3234/M2A-9/73.—2nd July 1974.—Whereas Government in their notification No. 1127/MIM-25/69, dated the 12th April 1969, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932) declaring that the Rajpur Municipality in the District of 24-Parganas shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in notifications No. 1179/MIM-25/69, dated the 10th April 1970, No. 1700/MIM-25/69, dated the 19th May 1970, No. 8116/MIM-25/69, dated the 12th December 1970, No. 2388/MIM-25/69, dated the 29th June 1971, No. 7008/M2A-46/71, dated the 22nd December 1971, No. 4708/M2A-46/71, dated the 27th October 1972, No. 511/M2A-46/71, dated the 13th February 1973 and No. 3165/M2A-9/73, dated the 29th August 1973, the said period of appointment was extended up to the 30th June 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 30th September 1974;

2. In exercise of the powers conferred by sub-section (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Satya Bhusan Roy, B.D.O., Sonarpur, shall continue as the Executive Officer of the Rajpur Municipality during the said extended period, in addition to his own duties and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government notification No. 5417/M2A-46/71, dated the 14th December 1971.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

MALDA.—No. 11970-L. A. (II)/4I-15/73.—2nd July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894) in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl.(I), dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (I) of Article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, part II, section 3, of the "Gazette of India", dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for public purpose, namely, for Farakka Barrage Project in the village of Paranpur, jurisdiction list No. 18, police-station Kaliachak, district Malda, it is hereby notified that a piece of land as described in the schedule below and measuring, more or less, 2·6992 hectares (6·67 acres) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Paranpur;

This Notification is made, under the provision of section 4 of Act I of 1894, read with the said notification to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Berhampur, Babupara, P. O. Berhampur, district Murshidabad.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officer for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by sub-section (4) of section 17 of the Land Acquisition Act of 1894 (I of 1894) read with the said Notification, the Governor is pleased to direct that the provisions of section 5A of the Act shall not apply to waste or arable lands described in Schedule below to which in the opinion of the Governor the provision of sub-section (I) of section 17 of the Act are applicable.

Description of the land

Mouza Paranpur, jurisdiction list No. 18, police-station Kaliachak, district Malda.

Cadastral survey plots in full—1652, 1924, 1925 and 2310.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare
1653	Western	2·02	·8175
1654	Western	·46	·1862
1655	Western	·50	·2023
1921	Northern corner ..	·06	·0243
1923	Except Eastern portion	1·18	·4776
1926	North-western corner ..	·11	·0445

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

NOTICES

No. 5156-P.—2nd July 1974.—In pursuance of the provisions of sub-section (3) of section 9 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938 (Act 5 of 1938), the Governor is pleased hereby to give notice of his intention to issue a notification under sub-section (2) of the said section authorising the carrying out of field firing and artillery practice throughout the areas in the district of Darjeeling described in the schedule below, during the period commencing on the 7th November 1974 and ending on the 31st October 1976 (both days inclusive).

The Schedule

The areas bounded—

(1) on the North—by Nimbong Khas Mohal Block, cadastral survey plot No. 366, southern portion of cadastral survey plot No. 321 measuring 58.16 acres (bounded on the North by northern portion of cadastral survey plot No. 321, on the West by cadastral survey plot Nos. 1104, 1224 and 1109, on the south by cadastral survey plot Nos. 1361, 317 and 319 and on the East by cadastral survey plot Nos. 316, 1355 and 320, cadastral survey plot Nos. 1169, 1220 and 331, part of cadastral survey plot No. 203 measuring 12.72 acres (bounded on the North by northern portion of cadastral survey plot No. 230, on the West by cadastral survey plot Nos. 1336 and 1335, on the South by cadastral survey plot Nos. 254, 1341 and 1340 and on the East by cadastral survey plot Nos. 251, 1509 and 246); cadastral survey plot Nos. 1336, 229, 184, 227, 211, 1101, 212, 112, 25, 1471, 1470, 21, 20, 19, 908, 907, 906, 932, 933, 934, 936, 935, 1288, 836, 1042, 938, 939, 965, 959, 962, 1281, 969, 966, 980, 983, 984 and 985 all of Pabringtar Khasmahal Block and cadastral survey plot No. 927 of Yangmakum Khasmahal Blocks;

(2) On the West—by the cadastral survey plot Nos. 926, 919, 921, 907, 906, 908, 909, 933, 586, 885, 1425, 919, 293, 294, 1046, 1465, 860, 982, 883, 1025, 1024, 292, 279, 278, 1043, 1042, 269, 1238, 277, 276, 275, 1235, 1241, 273, 274, 1267, 220, 221, 222, 216, 256, 1233 and 248 all of Yangmakum Khasmahal Block and western part of Mongpong forest (starting from the base of the Mongpong forest quarters);

(3) on the South of Mongpong and Lish forest, to the north of National Highway by a margin of 500 feet, wherever it passes through these forests; and

(4) on the East—by Churanthi and Ramthi forests and Nimbong Khasmahal Block.

By order of the Governor,
S. B. MAZUMDAR,
Jt. Secy. to the Govt. of West Bengal.

No. 5155-P.—2nd July 1974.—In pursuance of the provisions of sub-section (3) of section 9 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938 (Act 5 of 1938), the Governor is pleased hereby to give notice of his intention to issue a notification under sub-section (2) of the said section authorising the carrying out of field firing and artillery practice throughout the areas in the district of Darjeeling, described in the Schedule below, during the period commencing on the 7th November 1974, and ending on the 31st October 1976, (both days inclusive).

The Schedule

Range "A"

The areas bounded—

(1) on the North-by Fagu Forest Compartments 6, 7 and 8;

(2) on the East—by Fagu Tea Garden and right bank of Chel river up to the point where it meets the boundary of Jalpaiguri district;

(3) on the South—by along the right bank of Chel river from the point where it meets Jalpaiguri district up to a distance of 3,100 yards South-West ward (X); and

(4) on the West—by Noam Forest Compartment 2, along the left bank of Managzing Khola, starting from the point where it meets the boundary of Jalpaiguri district southwards till it meets the points marked (X) above.

Range "B"

The areas bounded—

(1) on the North—by Sakam forest cadastral survey plots Nos. 2/249, 150, 4/248 and 220/247 of Dalim Khasmohal Block; then from the north-western corner of cadastral survey plot No. 4, the line goes straight to westward, passing through Ambeok and Fagu Tea Gardens up to a distance of 1,700 yards;

(2) on the West—then the line turns at right angle south-ward, passing through Fagu Tea Garden up to the distance of 110 yards, making the western boundary;

(3) on the South—then again the line turns at at right angle eastward, passing through Fagu Tea Garden up to a distance of 1,250 yards, and joins south-western corner of cadstral survey plot No. 1466 of Gorubathan Khasmohal Block; then the line runs along the boundary of Fagu Tea Garden and Gorubathan Khasmohal Block until it meets the south-western corner of cadastral survey plot No. 889 of Gorubathan Khasmohal Block, then it is bounded by cadastral survey plot Nos. 868, 872, 879 aand 911 of Gorubathan Khasmohal Block, all these making the southern boundary; and

(4) on the North—by Cadastral survey plot Nos. 885, 450, 908, 1690, 1688, 909, 904, 1925, 763, 764, 757, 1756, 807/1296, 749, 750, 751, 809, 674, 672, 666, 1390, 667, 669, 1450, 821, 1380, 822, and 1369, all of Gorubathan Khasmohal Block.

Range "C"

The areas bounded—

(1) on the North—by Sakam Forest Compartment 8 and Dalimkote 6;

(2) on the East—by Sakam Forest Compartments 5 and 6;

(3) on the South—by Sakam Forest Compartments 6 and 7, cadastral survey plots Nos. 1432, 419, 1455, 491, 421, 422, 474, 424 and 425 all of Gorubathan Khas Mohal Block and Fagu Tea Garden; and

(4) on the West—by Dalimkote Forest Compartment 6 and cadastral survey plot Nos. 597, 1637, 598, 927, 587, 582, 1567, 581, 1568, 544, 543, 539, 1857, 1470, 1472, 1473, 574/1928, 412, 1855 and 1425 all of Gorubathan Khasmohal Block.

Range "P"

The areas bounded—

(1) on the North—by Mongpong Forest Compartments 2 and 4;

(2) on the East—by Mangpong Forest Compartments 4 and 7;

(3) on the South -by from the junction of Tista river and the Railway line (Western corner of Sevoke Railway bridge) up to a distance of 550 yards south-eastward along the boundary between Darjeeling and Jalpaiguri districts, Mongpong Forest Compartment 7; and

(4) on the West—by Tista river.

Range "Z"

The areas bounded—

(1) on the North—by Ramthi Forest Compartment 7;

(2) on the West-by Churanthi Forest Compartments 4 and 7 and Ramthi Forest Compartments 4 and 7;

(3) on the South—by boundary line between Darjeeling and Jalpaiguri districts; and

(4) on the East—by From North-Eastern corner of Ramthi Forest Compartment 6 along the right bank of Gish river up to the point where it meets Jalpaiguri district.

By order of the Governor,
S. B. MAZUMDAR,
Jt. Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 3238/MIM-49/72-Pt. III.—2nd July 1974.—Whereas Government in their Resolution No. 1/MIM-74/62, dated the 2nd January 1963, published at pages 13-14 of the "Calcutta Gazette, Extraordinary", Part I, dated the 2nd January 1963, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), superseding the Commissioners of the Bally Municipality in the district of Howrah for a period upto the 1st January 1965 and whereas the said period of supersession of the Commissioners of the said Municipality was from time to time extended and lastly extended by order No. 6020/MIM-49/72-Pt. III, dated the 13th December 1973, up to the 30th June 1974;

And whereas in the opinion of the Governor the extension of the said period of supersession for a further term is necessary;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is hereby pleased to extend a further term of supersession up to the 31st March 1975.

2. In exercise of the powers conferred by clause (bb) of sub-section (1) of section 554 of the said Act and the first proviso to said clause, the Governor is further pleased hereby to direct that Shri Anil Chandra Bhattacharya, W.B.C.S. (Retd) shall, during the extended period of supersession of the Commissioners of the Bally Municipality, continue to exercise and perform all the powers and duties conferred and imposed upon him by notification No. 1341/8P-606/72, dated the 19th April 1973, up to the 13th September 1974, or until further order whichever is earlier.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

NOTIFICATION

No. 3237/MIM-117/73.—2nd July 1974.—Whereas the term of four years provided by clause (a) of sub-section (1) of section 56 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), for which the Commissioners of the Titagarh Municipality, in the district of 24-Parganas, as at present constituted were to hold office expired on the 18th November 1973;

And whereas, by Notification No. 5066/MIM-117/73, dated the 14th November 1973, the said term was extended upto the 15th July 1974

And whereas the Governor thinks fit to extend the said term of office of the Commissioners of the said Municipality for the purpose of holding the general election;

Now, therefore, in exercise of the power conferred by sub-section (5) of section 56 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased hereby to extend the term of office of the Commissioners of the Titagarh Municipality for a period from the 16th July 1974 to the 31st March 1975 both the days inclusive.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

ORDERS AND NOTIFICATIONS BY THE COMMISSIONERS OF DIVISIONS

Burdwan Division—Chinsurah

OFFICE OF THE COLLECTOR, MIDNAPORE

NOTIFICATION

No. 923G. -19th June 1974.—In terms of clause (a) of section 5 of the Treasure Trove Act read with rule 5 of the West Bengal Treasure Trove Rules, 1960, it is notified for general information that on 27th February 1973 one gold plate weighing 437½ grammes (Four hundred thirty-seven and a half grammes) whose approximate value is more than Rs. 11,000 (Rupees eleven thousands only) was found on the sea shore in Mouza Mandarmani, Kh. No. 1, Plot No. 2, Area 68.50, P.S. Ramnagar in the district of Midnapore. All persons claiming the treasure or any part thereof are requested to appear personally or by agent before the Collector, Midnapore, on the 16th November 1974, at 11 A.M.

D. K. GHOSH,
Collector.

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PART IA.—Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India, and other Election Notifications published for general information Orders and the "Gazette of India" are only republished.

ELECTION COMMISSION OF INDIA

NOTIFICATION

New Delhi, the 28th June 1974.

No. 479/74(3).—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission hereby appoints the Secretary to the Legislative Assembly of each State to be an Assistant Returning Officer for the Presidential election.

By order,
A. N. SEN,
Secy. to the Election Commission

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PART IA.—Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India, and other Election Notifications published for general information. Orders and Notifications which have originally been published in the "Gazette of India" are only republished.

ELECTION COMMISSION OF INDIA

NOTIFICATIONS'

New Delhi, the 29th June 1974.

No. 480/74(2)-I.—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission, in consultation with the Central Government, hereby appoints the Secretary-General to the Lok Sabha, Parliament House, New Delhi, to be the Returning Officer for the Vice-Presidential election.

By order,

A. N. SEN,

Secy. to the Election Commission.

New Delhi, the 29th June 1974.

No. 480/74(2)-II.—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission hereby appoints Shri P. K. Patnaik, Joint Secretary, Lok Sabha Secretariat, Parliament House, New Delhi, to be the Assistant Returning Officer for the Vice-Presidential election.

By order,
A. N. SEN,
Secy. to the Election Commission.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 16293F.S./FS/14R-23/72.—4th July 1974.—In exercise of the powers conferred by clauses (9), (10) and (11) of paragraph 2 and paragraph 16 of the West Bengal Rationing Order, 1964, the Governor is pleased hereby to specify, in modification of all notifications issued under the said clauses in so far as they relate to specification of rationed articles, that with effect from the 4th July 1974 the articles mentioned in the schedule below shall be rationed articles and to order that the regulations made under the said order in so far as they relate to rationed articles shall be deemed to be amended accordingly.

The Schedule

(1) Rice husked or in the husk.

(2) Wheat.

By order of the Governor,

S. B RAY,

Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No 3243/M2A-3/74.—3rd July 1974.—Whereas Government in their notification No. 3394/M2A-33/71, dated 25th September 1973, issued an order under section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), declaring that the Hooghly-Chinsurah Municipality in the district of Hooghly shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas in notification No. 339/M2A-3/74, dated 9th February 1974, the said period of appointment was extended up to the 15th July 1974;

And whereas in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st December 1974.

2 In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri S. N. Banerjee, Additional Deputy Controller of Civil Defence, Hooghly and Deputy Magistrate and Deputy Collector, shall continue as Executive Officer of the Hooghly-Chinsurah Municipality during the said extended period in addition to his own duties, and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon the Executive Officer by Government notification No. 3394/M2A-33/71, dated 25th September 1973.

By order of the Governor,

T. N. DE,

Asstt. Secy to the Govt. of West Bengal.

No. 3248/M2A-15/73Pt. I.—3rd July 1974.—In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), hereinafter refered to as the said Act, and in partial modification of notification No. 404/M2A-15/73 Pt.I, dated 19th February 1974, the Governor is pleased to appoint Shri Bimal Kumar Sinha, W.B.J.C.S. (retired), to be the Executive Officer of the South Dum Dum Municipality in the district of 24-Parganas, with effect from the day he takes over charge as Executive Officer, South Dum Dum Municipality, from Shri Atindra Kumar Mitra, Executive Officer, South Dum Dum Municipality, and that the Executive Officer shall exercise and perform all the powers of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3249/MIM-136/73. — 3rd July 1974.—Whereas the term of four years provided by clause (a) of sub-section (1) of section 56 of Bengal Municipal Act, 1932 (Ben. Act XV of 1932), for which the Commissioners of the South Suburban Municipality in the district of 24-Parganas, as at present constituted were to hold office expired on the 19th November 1973;

And whereas by notification No. 5067/MIM-136/73, dated the 14th November 1973 and No. 647/MIM-136/73, dated the 15th March 1974, the said term was extended up to the 31st December 1974;

And whereas, the Governor thinks it fit to extend the said term of office of the Commissioners of the said Municipality for the purpose of holding the general election;

Now, therefore, in exercise of the power conferred by sub-section (5) of section 56 of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased hereby to extend the term of office of the Commissioners of the South Suburban Municipality for a further period from the 1st January 1975 to the 31st March 1975 both the days inclusive.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 16306/F.S./FS/6P-7/74.—5th July 1974.—In exercise of the power conferred by section 3 of the West Bengal Anti-profiteering Act, 1958 (West Ben. Act XXIV of 1958), the Governor is pleased hereby to make the following order, namely:—

1. **Short Title, Extent and Commencement.**—(1) This order may be called the West Bengal Wheat Price Fixation Order, 1974.

(2) It extends to the whole of West Bengal except the areas in which the West Bengal Rationing Order, 1964, is in force.

(3) It shall come in to force at once.

2. **Maximum prices of wheat chargeable by Wholesalers and Retailers.**—(1) The price at which wheat may be sold by a wholesaler or a retailer shall not exceed the rate specified below against each.

Class of dealer	Rate
Wholesaler	Rs. 17.00 per quintal.
Retailer	Rs. 1.78 per kilogram.

(2) The rate specified in sub-paragraph (1) against wholesaler is inclusive of the cost of gunny bags and of all charges for bagging, sewing, weighing and handling for delivery at the wholesaler's godown.

(3) The rates specified in sub-paragraph (1) are for stocks of fair average quality, in sound merchantable condition, sweet, dry, clean, wholesome, of good food value, uniform in colour and size of grain, free from moulds, weevils, obnoxious smell, discolouration, and admixture of deleterious substances and conferming to the standards laid down in the prevention of Food Adulteration Act, 1954 (Act 37 of 1954), and the rules made thereunder.

3. **Savings.**—Nothing in this order shall apply to stocks of wheat imported by, or on behalf of, or on account of, or on the authority of, the Central Government, the State Government of West Bengal and the Food Corporation of India established under the Food Corporations Act, 1964 (Act 37 of 1964), and supplied by them to any person appointed for sale thereof.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

HOME DEPARTMENT

Transport

NOTIFICATION

No. 7886-W.T.—4th July 1974.—In exercise of the power conferred by section 3 of the Bengal Motor Vehicles Tax Act, 1932 (Ben. Act I of 1932) and in supersession of all previous notifications on the subject, the Governor is pleased hereby to appoint the officers mentioned in column (1) of the table below to be Taxing Officers and to specify the areas mentioned in the corresponding entries in column (2) of the table as the areas within which they shall respectively exercise the powers conferred, and perform the duties imposed, on them by or under the said Act:—

The Table

Officers (1)	Areas (2)
1. Assistant Director, Public Vehicles Department, Calcutta.	Calcutta as defined in section 3 of the Calcutta Police Act, 1866 (Ben. Act I of 1866), together with the suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866 (Ben. Act II of 1866).
2. Public Vehicles Officer, Grade I (Tax), Public Vehicles Department, Calcutta.	As above.
3. The Officer-in-charge of the Motor Vehicles Department, of the Bankura Collectorate.	The district of Bankura.
4. The Officer-in-charge of the Motor Vehicles Department of the Birbhum Collectorate.	The district of Birbhum.
5. The Subdivisional Officer, Asansol.	Asansol Subdivision in the district of Burdwan.
6. The Officer-in-charge of the Motor Vehicles Department of the Burdwan Collectorate.	The district of Burdwan excluding the Asansol and the Durgapur Subdivisions of the said district.
7. The Officer-in-charge of the Motor Vehicles Department of the Cooch Behar Collectorate.	The district of Cooch Behar.
8. The Subdivisional Officer, Siliguri.	Siliguri Subdivision in the district of Darjeelng.
9. The Officer-in-charge of the Motor Vehicles Department of the Darjeeling Collectorate.	The district of Darjeeling excluding the Siliguri Subdivision of the said district.
10. The Officer-in-charge of the Motor Vehicles Department of the Hooghly Collectorate.	The district of Hooghly.
11. The Officer-in-charge of the Motor Vehicles Department of Howrah Collectorate.	The district of Howrah.
12. The Officer-in-charge of the Motor Vehicles Department of the Jalpaiguri Collectorate.	The district of Jalpaiguri excluding Alipurduar Subdivision of the said district.
13. The Officer-in-charge of the Motor Vehicles Department of the Malda Collectorate.	The district of Malda.
14. The Officer-in-charge of the Motor Vehicles Department of the Murshidabad Collectorate.	The district of Murshidabad.
15. The Officer-in-charge of the Motor Vehicles Department of the Midnapore Collectorate.	The district of Midnapore.
16. The Office-in-charge of the Motor Vehicles Department of the Nadia Collectorate.	The district of Nadia.
17. The Officer-in-charge of the Motor Vehicles Department of the 24-Parganas Collectorate.	The district of 24-Parganas excluding areas included within the Suburbs of Calcutta as defined by notification under section 1 of the Calcutta Suburban Police Act, 1866 (Ben. Act II of 1866) and excluding Bongaon, Barrackpur, Barasat Subdivisions of the said district.

Officers (1)	Areas (2)
18. The Officer-in-charge of the Motor Vehicles Department of the West Dinajpur Collectorate.	The district of West Dinajpur excluding Raiganj and Islampur Subdivisions.
19. The Subdivisional Officer, Durgapur.	Durgapur Subdivision in the district of Burdwan.
20. The Subdivisional Officer, Alipurduar.	Alipurduar Subdivision in the district of Jalpaiguri.
21. The Subdivisional Officer, Barrackpore.	Barrackpore Subdivision in the district of 24-Parganas.
22. The Subdivisional Officer, Barasat.	Bongaon, Barasat and Basirhat Subdivisions in the district of 24-Parganas.
23. The Subdivisional Officer, Raiganj.	Raiganj and Islampur Subdivisions in the district of West Dinajpur.

By order of the Governor,
D. CHAKRABARTI,
Dy Secy. to the Govt. of West Bengal.

CLOSED AND SICK INDUSTRIES DEPARTMENT

NOTIFICATIONS

No. 2452-CSI.—5th July 1974.—Whereas by this department notification No. 2448-C.S.I., dated the 5th July 1974, issued under section 3 of the West Bengal Relief Undertakings (Special Provisions) Act, 1972 (West Ben. Act XIII of 1972), the unit known as Messrs. Automative Enterprise Limited, having registered office at No. 34/A, Lenin Sarani in the town of Calcutta, has been declared to be a relief undertaking (hereinafter referred to as the said relief undertaking);

And whereas the State Government is satisfied that it is necessary and expedient so to do in the public interest, with a view to enabling the continued running of the said relief undertaking as a measure of preventing unemployment;

Now, therefore, in exercise of the power conferred by section 4 of the said Act, the Governor is pleased hereby to direct that in relation to the said relief undertaking, all the enactments specified in the schedule to the said Act shall not apply and that operation of all contracts, assurances of property, agreements, settlements, awards, standing orders or other instruments in force (to which the said relief undertaking is a party or which may be applicable to the said relief undertaking) immediately before the date on which the said relief undertaking was declared as such, together with all the rights, privileges, obligations and liabilities accruing or arising thereunder before the said date, but excluding contracts, assurances of property and agreements entered into immediately before the date on which the said relief undertaking was declared as such, by the said relief undertaking with the Government, the Industrial Reconstruction Corporation of India Limited or any Bank shall remain suspended.

By order of the Governor,
N. RAY,
Dy. Secy. to the Govt. of West Bengal.

No. 2448-CSI.—5th July 1974.—Whereas the unit known as Messrs Automative Enterprise Limited having its registered office at No. 34/A Lenin Sarani in the town of Calcutta is an industrial undertaking (hereinafter referred to as the said industrial undertaking) in respect of whose loan of Rs. 3,500 (Rupees three thousand and five hundred) from the industrial Reconstruction Corporation of India, a guarantee has been given by the State Government;

And whereas by virtue of the provisions of sub-clause (b) of clause (5) of section 2 of the West Bengal Relief Undertakings (Special Provisions) Act, 1972 (West Ben. Act XIII of 1972), the said industrial undertaking is a State industrial undertaking (hereinafter referred to as the said State industrial undertaking);

And whereas the State Government is satisfied that it is necessary and expedient so to do in the public interest, with a view to enabling the continued running of the said State industrial undertaking as a measure of preventing unemployment;

Now, therefore in exercise of the power conferred by section 3 of the said Act, the Governor is pleased hereby to declare that the said State industrial undertaking shall, on and from the 5th day of July 1974 and for the period up to the 4th day of July 1975 be a relief undertaking.

By order of the Governor,
N. RAY,
Dy Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

NOTIFICATION

No. 6328L.W.—5th July 1974.—Whereas by the Government of West Bengal, Labour Department, notification No. 2350L.W./LW/2W-1/68, dated the 12th December 1968, the minimum rates of wages payable to the employees employed in the employment in agriculture in the State of West Bengal were revised;

And whereas the Governor, upon a review under clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), of the said minimum rates of wages, considers it necessary to revise the same;

Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of section 5 of the said Act, the Governor is pleased hereby to publish the following proposals in the matter of such revision under the said Act, for information of persons likely to be affected thereby.

The proposals will be taken into consideration after expiry of two months from the date of publication of this proposal in "Calcutta Gazette" and any objection or suggestion which may be received with respect thereto before that date will be duly considered.

Proposals

1. The following shall be the minimum rates of wages without meals for the daily-rated employees:

	Rs.
(a) Adult	5.60
(b) Children (minimum age being 14 years)	4.00

2. For the daily-rated employees the rates of cash wages shall be reduced for each principal meal (mid-day or night) supplied by the employer by Re. 1.25.

3. The following shall be the minimum rates of monthly wages of an employee with at least two principal meals daily and with accommodation provided by the employer:

	Rs.
(a) Adult	80.60
(b) Children (above 14 years of age)	39.00

4. All other existing amenities, viz., supply of tobacco, breakfast, etc., shall continue in addition to the minimum rates of wages.

5. Where the practice of payment partly in cash and partly in grains is prevalent, the total value of grains supplied plus the cash wages paid shall not be less than the minimum wages fixed above.

6. The minimum rates of wages so revised above are on the basis of Agricultural CPI (1960-61 = 100) for 1972-73 at 233-point. The minimum rates of wages will be adjusted at the rate of 62 paise per point rise or fall of the CPI Number above 233-point, for the adults and at the rate of 45 paise per point for the children. But in any case the minimum rates of wages will not be less than the rates mentioned above.

7. The minimum rates of wages will be adjusted each year with effect from 1st October on the basis of annual average Agricultural CPI Number of the previous year (July to June).

8. The workers engaged on contract basis for a year should be given two meals a day, a pair of dhuti/sari and a pair of gamcha during the year in addition to their wages.

9. An employee when he is employed on a long-term basis but is not given the two principal meals and is not provided with accommodation shall be paid wages for the actual number of days of work calculated at the daily rates fixed.

10. **Payment for part-time employment:** Where the employees offer themselves for part-time employment voluntarily, they shall be paid minimum wages *pro rata* for the portion of the normal working day for which they are employed.

11. Eight and half hours of work including half-an-hour's interval of rest shall constitute a normal working day.

12. **Day of weekly rest:** Sunday or such other day in any period of seven days as may suit the local convenience shall be the day of weekly rest.

13. **Payment for work on the day of weekly rest:** All employees shall be paid for work on the day of weekly rest at the overtime rate.

14. For work beyond normal working hours, the employees shall be paid at double the ordinary rates of wages.

By order of the Governor,

J. V. R. PRASADA RAO.

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATIONS

MALDA.—No. 12266-L. A. (II)/4I-4/74.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of Constitution of India as S. R. O. 1074 and published at page 868, Part II, section (3) of the "Gazette of India", dated 14th May 1955;

And whereas it appears to the Governor that land is likely to be needed for public purpose, namely, for Farakka Barrage Project in the village of Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda, it is hereby notified that a piece of land as described in the schedule below and measuring, more or less, 136·1076 hectares (336·33 acres) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Jitnagar;

This notification is made, under the provision of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Berhampur, Babupara, P.O. Berhampur, district Murshidabad.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by sub-section (4) of section 17 of the Land Acquisition Act of 1894 (I of 1894), read with the said notification, the Governor is pleased to direct that the provisions of section 5A of the Act shall not apply to waste or arable lands described in schedule below to which in the opinion of the Governor the provisions of sub-section (1) of section 17 of the Act are applicable.

Schedule of land

Mauza Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda.

Cadastral survey plots in full—22 to 28, 36 to 44, 47, 48, 49, 51 to 54, 58, 59, 63, 65, 68, 79 to 102, 104, 107 to 116, 120 to 130, 133 to 138, 141 to 153, 156, 169, 179, 182 to 191, 193 to 202, 240 to 242, 244 to 246, 248 to 256, 259 to 273, 281 to 291, 293 to 300, 304 to 309, 311 to 334, 336 to 346, 349 to 352, 355 to 358, 361 to 363, 365, 49/396, 352/401, 106/397, 268/398, 279/399, 350/400, 177/404, 309/405 and 309/407.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
2	Except north-west and middle portion.	4·27	1·7280
3	Except north-west and middle portion.	2·28	·9227
4	Except north-west and middle portion.	1·79	·7244
5	Except north-west portion	1·48	·5990
6	Except north-west portion	1·46	·5909
7	South-east	·78	·3157
8	Except north-west ..	6·04	2·4443
9	Except north-west ..	5·28	2·1368
10	Except north-west ..	2·82	1·1412
11	Except north-west ..	2·67	1·0805
21	South-east	·25	·1011
29	South-east	·70	·2833
30	South-east	1·59	·6434
34	South-east	·13	·0326
35	South-east	·20	·0809
45	South-east	·28	·1133
46	South-east	·34	·1376
55	South-east	2·22	·8984
56	South-east	·51	·2065
57	South-east	·71	·2873
60	South-east	1·04	·4209
61	South-east	·32	·1295
69	South-east	1·72	·6961
70	South-east	1·43	·5787
71	South-east	·76	·3126
72	South-east ..	1·46	·5909
73	South-east	1·08	·4371
74	South-east	·93	·3763
75	South-east	·38	·1538
76	South-east	1·82	·7365
77	South-east	·52	·2104
78	Except north-west corner	·78	·3157
154	South-east and middle of north-west.	2·75	1·1128
155	South-east and middle of north-west.	1·85	·7486
157	South-east and middle of north-west.	2·09	·8458
158	South-east corner ..	·01	·0040
159	South-east and middle of north-west.	2·06	·8337
160	South-east and middle of north-west.	2·66	1·0765
161	South-east and middle of north-west.	2·46	·9955
162	South-east and middle of north-west.	1·61	·6515
164	South-east and middle of north-west.	1·25	·5058
165	South-east and middle of north-west.	1·36	·5504
166	South-east and middle of north-west.	1·47	·5949
167	Except middle and north-west	1·59	·6436
168	Except middle and north-west corner.	1·03	·4168
170	Except middle portion ..	1·53	·6191
171	Except middle portion ..	1·50	·6070
172	Except middle portion ..	1·79	·7244
173	Except middle portion ..	1·94	·7851
174	South-east portion and north-west.	1·79	·7244
175	Except north-west ..	1·93	·7810
176	Except north-west ..	4·06	1·6430
178	Except north-west ..	1·66	·6718
181	Except north-west corner	·93	·3763
204	Except middle ..	3·86	1·5621
205	Except north-west ..	1·01	·4087
206	Except south-east ..	1·12	·4533
207	Except middle ..	·89	·3601
208	Except middle ..	1·05	·4249
209	Except north-west ..	·48	·1943
210	Except north-west ..	·46	·1862
211	North-west	·64	·2590
212	Except middle ..	1·25	·5058
213	Except middle ..	1·35	·5463
214	Except middle ..	1·32	·5342
215	South-east portion and north-west corner.	·77	·3116
216	South-east	1·17	·4735
217	South-east	·44	·1731
218	South-east	·57	·2306
219	South-east	·52	·2104
220	South-east	·53	·2144
221	South-east	1·72	·6961
222	South-east	1·95	·7891
223	South-east	·44	·1781
224	South-east	·29	·1173
225	South-east	·36	·1457
226	South-east	·23	·0930
227	South-east	·45	·1821
228	South-east	·40	·1619
229	South-east	·40	·1619
230	South-east	·38	·1538
231	South-east	·69	·2792
232	South-east	·58	·2347
233	South-east	·24	·0971
234	South-east	·22	·0809
235	South-east	·17	·0688
236	South-east	·15	·0607
237	South-east	·11	·0445
238	South-east	·09	·0364
239	South-west corner ..	·04	·0162
251	Eastern portion ..	·70	·2833
257	Except south-east corner	1·42	·5747
258	Except eastern portion ..	2·37	·9591
274	Except eastern portion ..	·87	·3520
275	North-western ..	·83	·3358
276	North-western ..	·81	·3277
278	North-western ..	·92	·3723
279	North-western ..	·66	·2671
280	Except eastern ..	4·26	1·7240
302	Eastern	1·73	·7001
310	Eastern	·97	·3925
347	Except eastern corner ..	1·70	·6880
348	Except eastern ..	3·21	1·2990
353	Except eastern ..	1·00	·4047
359	Except eastern ..	2·05	·8296
364	Except eastern ..	2·51	1·0157
378	North-west corner ..	·03	·0121
364/402	Western ..	·06	·0243
348/406	Western ..	·04	·0162

By order of the Governor,

S. GHCSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

MALDA.—No. 12278-L. A. (II)/4I-5/74.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of Constitution of India as S. R. O. 1074 and published at page 868, Part II, section 3 of the "Gazette of India", dated the 14th May 1955;

And whereas it appears to the Governor that land is likely to be needed for public purpose, namely, for Farakka Barrage Project in the village of Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda, it is hereby notified that pieces of land as described in the schedule below and measuring altogether, more or less, 63·0934 hectares (155·9075 acres), are likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Jitanagar.

This notification is made, under the provision of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Village Babupara, P.O. Berhampur, district Murshidabad.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by sub-section (4) of section 17 of the Land Acquisition Act of 1894 (I of 1894), read with the said notification, the Governor is pleased to direct that the provisions of section 5A of the Act shall not apply to waste or arable lands described in schedule below to which in the opinion of the Governor the provisions of sub-section (1) of section 17 of the Act are applicable.

Schedule of land

Mouza Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda.

Cadastral survey plots in full—1001 to 1053, 1056 to 1059, 1062 to 1065, 1068 to 1071, 1074 to 1077, 1080 to 1083, 1086 to 1089, 1091 to 1157, 1162 to 1217, 1219 to 1227, 1234 to 1243, 1245, 1287, 1288, 1290, 1291, 1295 to 1326, 1328 to 1333, 1335, 1364 to 1366, 1372, 1374, 1008/3002, 1009/3003, 1014/3101, 1015/3102, 1017/3141, 1030/3147, 1052/3144, 1053/3145, 1053/3149, 1018/3215, 1018/3216, 1115/3210, 1116/3211, 1117/3212, 1146/2244, 146/3168, 1184/3103, 1184/3107, 1185/3108, 1187/3136, 187/2270, 1194/3105, 1196/3106, 1198/2249, 1197/2248, 199/2250, 1201/3104, 1216/3134, 1217/3135, 1234/3221, 316/2251, 1322/3132, 1324/3001, 1341/3214, 1338/3167, 372/3208, 1372/3209, 1333/3137, 1374/3156, 1693/220 and 1698/3004.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1054	North-west portion ..	·11	·0445
1055	North-west portion ..	·22	·0890
1060	North-west portion ..	·24	·0971
1061	North-west portion ..	·14	·0567
1066	North-west portion ..	·16	·0648
1067	North-west portion ..	·14	·0567
1072	North-west portion ..	·16	·0648
1073	North-west portion ..	·16	·0648
1078	North-west portion ..	·18	·0729
1079	North-west portion ..	·16	·0648
1084	North-west portion ..	·37	·1497
1085	North-west portion ..	·43	1740
1090	North-west portion ..	·75	·3035
1158	Western portion ..	·11	·0445
1159	Western portion ..	·06	·0243
1160	Western portion	·07	·0283
1161	Except south-east corner	1·29	·5220
1218	Northern side ..	·38	·1538
1228	Except south-east corner	·51	·2063
1229	Except north-west corner	·09	·0364
1232	North-west corner ..	·02	·0081
1233	Except south-east corner	·90	·3642
1244	Except south-east corner	·06	·0243
1246	Northern	·05	·0202
1247	North-western ..	·01	·0040
1248	Western	·01	·0040
1249	Northern	·15	·0607
1250	Northern	·07	·0283
1251	North-west corner ..	·03	·0121
1279	Except south-east corner	·0075	·0030
1286	Western	·20	·0809
1289	Except south-east corner	·06	·0242
1292	Except south-east corner	·05	·0202
1293	Northern	·03	·0121
1327	Except eastern portion ..	·52	·2104
1334	Except middle of southern	2·10	·8498
1336	Except south-east corner	·30	·1214
1337	Except south-east corner	·09	·0364
1338	Eastern portion ..	·07	·0283
1341	Except western portion	·24	·0971
1342	Eastern portion ..	·25	·1012
1344	North-east corner ..	·15	·0607
1363	South-west corner ..	·04	·0162
1367	Northern portion ..	·24	·0971
1368	North-west corner ..	·06	·0242
1369	Western portion . ..	·20	·0809
1370	North-west corner ..	·01	·0040
1371	Except south-east corner	·77	·3116
1373	Western portion ..	·55	·2225
1375	North-west corner ..	·15	·0607
1644	Northern portion ..	·05	·0202
1682	Except southern portion	1·68	·6799
1683	Except eastern portion	1·26	·5099
1684	Except eastern portion	·78	·3157
1685	Except eastern portion	·76	·3076
1686	Except eastern portion	·71	·2873
1687	Western portion ..	·73	·2954
1688	Western portion ..	·57	·2306
1689	Western portion ..	·63	·2549
1690	Western portion ..	·53	·2144
1691	Western portion ..	1·00	·4047
1693	Western portion ..	·22	·0890
1694	Western portion ..	·27	·1192
1697	Western portion ..	·77	·3116
1698	Western portion ..	·45	·1821

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1700/2245	Western portion ..	2·70	1·0926
1701/2246	North-west corner	·23	·0930
1054/3146	Except north-west corner	·04	·0162
1369/3169	North-west corner	·01	·0040
1336/3164	Eastern portion ..	·03	·0121
1336/3165	Eastern portion ..	·04	·0162
1372/2252	Except north-west corner	·76	·3076
1373/3116	Western portion ..	·26	·1052

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

MALDA.—No. 12290 L. A.(II)/4I-18/73.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894) in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl.(I), dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (I) of article 258 of Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3 of the "Gazette of India", dated the 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for public purpose, namely, for Farakka Barrage Project in the village of Narayanpur, jurisdiction list No. 22, police-station Manikchak, district Malda, it is hereby notified that a piece of land as described in the schedule below and measuring, more or less, 24·8587 hectares (61·43 acres) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Narayanpur.

This notification is made, under the provision of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Berhampore, Babupara, P.O. Berhampore, district Murshidabad.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by sub-section (4) of section 17 of the Land Acquisition Act of 1894 (I of 1894), read with the said notification, the Governor is pleased to direct that the provisions of section 5A of the Act shall not apply to waste or arable lands described below to which in the opinion of the Governor the provisions of sub-section (I) of section 17 of the Act are applicable.

Description of the land

Mouza Narayanpur, jurisdiction list No. 22, police-station Manikchak, district Malda.

Cadastral survey plots in full—2008, 2013, 2015, 2017, 2018, 2019, 2041, 2123, 2125, 2128, 2133, 2134, 2137 to 2145, 2243, 2248, 2041/2554, 2132/2559 and 2041/2555.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1063	South-west corner ..	·26	·1052
1066	Southern portion ..	·33	·1335
1068	South-west	·15	·0607
2001	Except north-east portion	1·80	·7284
2002	Except eastern side ..	3·32	1·3436
2003	Except eastern side ..	2·84	1·1493
2004	Except eastern side ..	1·48	·5990
2006	Except eastern side ..	·61	·2468
2009	Except eastern side ..	·57	·2306
2010	Except eastern side ..	1·16	·4695
2011	Except eastern side ..	1·17	·4735
2012	Except eastern side ..	·67	·2711
2016	Except north-east corner	·66	·2671
2040	Southern portion ..	·83	·3358
2042	South-west	·48	·1948
2121	North-west ..	·20	·0809
2122	Except eastern portion ..	·40	·1619
2127	Except eastern portion ..	·64	·2590
2129	Except southern portion and north-east corner.	2·32	·9389
2130	North-east portion ..	1·52	·6151
2131	Eastern side and near middle south-east.	·54	·2185
2132	Eastern side except north-east.	2·00	·8094
2135	Eastern side ..	·81	·3277
2146	Except southern ..	1·74	·7042
2136	Except north-west ..	1·00	·4047
2242	Except north-west ..	3·33	1·3476
2249	Except south-east ..	2·40	·9712
2254	Except south-west ..	·76	·3076
2241	South-east corner ..	·01	·0040

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

MALDA.—No. 12302-L. A. (II)/4I-24/73.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl.(I), dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3, of the "Gazette of India", dated the 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for public purpose, namely, for Farakka Barrage Project in the village of Paranpur, jurisdiction list No. 18, police-station Kaliachak, district Malda, it is hereby notified that a piece of land as described in the schedule below and measuring, more or less, 123·2831 hectares (304·64 acres) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Paranpur.

This notification is made, under the provision of section 4 of Act 1 of 1894, read with the said notification to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Aquisition Officer, Farakka Barrage Project, Berhampur, Babupara, P.O. Berhampur, district Murshidabad.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the Officer for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

In exercise of the powers conferred by sub-section (4) of section 17 of the Land Acquisition Act of 1894 (1 of 1894), read with the said notification, the Governor is pleased to direct that the provisions of section 5A of the Act shall not apply to waste or arable lands described in schedule below to which in the opinion of the Governor the provisions of sub-section (1) of section 17 of the Act are applicable.

Schedule of land

Mauza Paranpur, jurisdiction list No. 18, police-station Kaliachak, district Malda.

Cadastral survey plots in full—126, 135, 136, 282, 843 to 851, 854 to 864, 874 to 876, 878 to 881, 888, 892, 893, 951 to 953, 958 to 968, 970, 972 to 978, 980 to 982, 985 to 1006, 1008 to 1010, 1012, 1013, 877/1015, 1101 to 1116, 1123 to 1127, 1131 to 1146, 1149 to 1174, 1177 to 1195 and 1197 to 1200.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare
119	Southern	3·00	1·2141
122	Southern	·24	·0971
125	Western	10·00	3·6422
137	Western	5·20	2·1044
141	Western	2·70	1·0926
142	Western	2·54	1·0279
143	Western	2·30	·9308
144	Western	2·06	·8337
145	Western	1·81	·7324
146	Western	3·74	1·5135
147	Western	1·30	·5261
148	Western	1·25	·5058
149	Western	1·19	·4816
150	Western	·52	·2109
151	Western	·34	·1376
152	Western	·17	·0688
154	Western	·10	·0405
155	Western	·05	·0202
171	Western	5·75	2·3269
174	Western	·74	·2995
175	Western	·55	·2225
176	Western	1·71	·6920
177	Western	1·98	·8013
178	Western	1·06	·4290
245	Eastern	·70	·2833
246	Eastern	·22	·0890
247	Eastern	·32	·1295
248	Eastern	·27	·1092
249	Eastern	·18	·0729
250	Eastern	·22	·0890
251	Eastern	·34	·1376
252	Eastern	·23	·0930
253	Eastern	·40	·1619
254	Eastern	·22	·0890
255	Eastern	·21	·0849
256	Eastern	·20	·0809
257	Eastern	·44	·1781
258	Eastern	·67	·2711
259	Eastern	·22	·0890
260	Eastern	·34	·1376
261	Eastern	·38	·1538
262	Eastern	·80	·3237
263	Eastern	·43	·1740
264	Eastern	·26	·1052
265	Eastern	·27	·1092
266	Eastern	·38	·1538
267	Eastern	·38	·1538
268	Eastern	·38	·1538
269	Eastern	·56	·2266
270	Eastern	·34	·1376
271	Eastern	·46	·1862
272	Eastern	·70	·2833
273	Eastern	·60	·2428
274	Eastern	·40	·1619
275	Eastern	·26	·1052
276	Eastern	·24	·0971
280	Eastern	·20	·0809
281	Eastern	·15	·0607
802	Middle portion ..	·70	·2833
803	Middle portion ..	1·10	·4452
804	Middle	·56	·2266
806	Middle	·46	·1862
807	Southern	·52	·2104
809	Southern	·50	·2023
810	Southern	·44	·1781
812	Southern	·32	·1295
813	Southern	·56	·2671
814	Southern	·78	·3157
815	Southern	·78	·3157
816	Southern	·34	·1376
817	Southern	·46	·1862
818	Southern	·33	·1362
819	Southern	·48	·1943
820	Southern	·75	·3035
821	Southern	1·06	·4290
822	Southern	1·06	·4290
823	Southern	·58	·2347
824	Southern	·35	·1416
825	Southern	·30	·1214
826	Southern	·43	·1740
827	Southern	·34	·1376
828	Southern	·30	·1214
829	Southern	·62	·2509
830	Southern	·38	·1538
831	Southern	·14	·0567
832	Southern	·13	·0526
833	Southern	·24	·0971
834	Southern	·10	·0405
835	Southern	·20	·0809
836	Southern	·70	·2833
837	Southern	·24	·0971
838	Southern	·23	·0930
839	Southern	·44	·1781
840	Southern	·20	·0809
841	Southern	·30	·1214
842	Southern	·30	·1214
865	Northern	·74	·2995
866	Northern	·30	·1214
867	Northern	·68	·2752
868	Northern	·97	·3925
869	Northern	·56	·2266
870	Northern	·64	·2590

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
871	Northern	·45	·1821
872	Northern	·33	·1335
873	Northern	1·78	·7204
877	Western	2·03	·8215
882	Eastern	1·36	·5504
883	Eastern	·37	·1497
887	Northern	·04	·0162
889	Western	·30	·1214
891	Western	·17	·0688
894	Northern	·60	·2428
895	Northern	·65	·2630
896	Northern	·18	·0729
897	Eastern	·02	·0081
901	Eastern	·06	·0243
902	Eastern	·19	·0769
903	Eastern	·12	·0486
904	Middle	·04	·0162
918	Southern	·20	·0809
919	Southern	·24	·0971
920	Southern	·22	·0890
921	Southern	·18	·0729
922	Southern	·18	·0729
923	Southern	·24	·0971
924	Southern	·35	·1416
925	Southern	·40	·1619
926	Southern	·64	·2590
927	Eastern	·48	·1943
928	Eastern	12·71	5·1434
929	Eastern	·12	·0486
930	Eastern	·04	·0162
954	Southern	·22	·0890
955	Southern	·04	·0162
956	Southern	·10	·0405
957	Southern	·15	·0607
969	Southern	1·12	·0533
1011	Western	·74	·2995
869/1014	Eastern ..	1·00	·4047
1117	Western	·66	·2671
1118	Western	·97	·3925
1119	Western	·71	·2873
1120	Eastern	·32	·1295
1121	Eastern	·54	·2185
1122	Eastern	·30	·1214
1128	Eastern	·07	·0283
1129	Eastern	·03	·0121
1148	Western	1·12	·4533

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

24-PARGANAS.—No. 12346 L. A. (II)/6P-4/71.—5th July 1974.—The Governor is pleased to cancel the notification No. 15295-L. A. (II)/6P-4/71, dated the 4th October 1972, under section 4 of the Land Acquisition Act I of 1894, published at page 2529, Part I of the "Calcutta Gazette, Extraordinary", of the 20th December 1972 in so far as it relates to a piece of land comprising part of revisional survey plot Nos. 847, 848, 849 and 850 as described below and measuring more or less ·0755 of a hectare (0·185 of an acre) out of 0·6565 of a hectare (1·625 acres) for the construction of a Telephone Exchange Building in the village of Garfa, jurisdiction list No. 19, police-station Jadavpur, district 24-Parganas.

Description of the land

Mauza Garfa, jurisdiction list No. 19, police-station Jadavpur, district 24-Parganas.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
847	Northern side ..	·09	·0364
848	Northern side ..	·04	·0162
849	Northern side ..	·04	·0162
850	Northern side ..	·015	·0067

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

MIDNAPORE.—No. 12356 L. A./2R-8/73.—5th July 1974.—Whereas the function of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55/Judl. (1), dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3 of the "Gazette of India", dated the 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for the construction of a Feeder Road to Raghunathbari Rail Station in the villages of Purbasuktia and Raghunathbari, jurisdiction list Nos. 325 and 333 respectively, police-station Panskura, district Midnapore, it is hereby notified that pieces of land comprising cadastral survey Plots as detailed below and altogether measuring, more or less, 5·73 acre (2·18816 hectares) are likely to be needed for the aforesaid public purpose at the public expense in the district of Midnapore.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, read with the said notification, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Midnapore.

In exercise of the powers conferred by the said section, read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above lands, who has any objection to the acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of Midnapore.

Description of the land

Mauza Purbasuktia, jurisdiction list No. 325, police-station Panskura, district Midnapore.

Cadastral survey plots in full—179, 180, 181, 182, 443, 444, 445, 446, 447, 453, 468, 478, 479, 481, 484, 487, 493 and 494.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
177	Western	·01	·004047
178	Northern	·095	·038446
183	Southern	·02	·008094
185	Western	·06	·024282
186	South-west corner ..	·0025	·001012
441	Southern	·01	·004047
442	South-east corner ..	·005	·002023
448	South-eastern ..	·075	·030352
449	Southern	·02	·008094
452	South-eastern ..	·01	·004047
457	Southern	·09	·036423
458	Entire portion except 0·005 dec. in northern.	·245	·099143
459	Northern	·20	·008094
467	North-western ..	·01	·004047
469	North-western ..	·025	·010117
470	North-western ..	·05	·020235
477	North-western ..	·08	·032376
480	Southern	·025	·010117
482	Entire portion except 0·0025 dec. in south-eastern corner.	·1275	·051597
485	Southern	·02	·008094
486	Middle	·26	·010522
488	South-eastern ..	·015	·006070
492	Southern	·03	·012141
495	Northern	·04	·016188
497	North-western ..	·01	·004047
181/884	Southern ..	·02	·008094
506	Northern	·015	·006070

Mauza Raghunathbari, jurisdiction list No. 333, police-station Panskura, district Midnapore.

Cadastral survey plots in full—393, 419, 394/638 and 394/639.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
366	South-east corner ..	·015	·006070
367	South-west corner ..	·005	·002023
378	South-eastern ..	·0025	·001012
380	Southern	·36	·014569
381	Northern	·05	·020235
386	Middle	·70	·028329
387	Southern	·47	·190227
388	Southern	·11	·044517
389	Southern	·02	·008094
392	Southern	·15	·060705
394	Southern	·35	·001416
396	Northern	·15	·060705
397	Northern	·06	·024282
401	North-eastern ..	·04	·016188
402	Eastern	·01	·004047
418	Northern	·005	·002023
420	Northern	·05	·020235
421	Northern	·1025	·041482
380/564	Northern ..	·10	·040470
375/643	Southern ..	·02	·008094

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

DECLARATIONS

24-PARGANAS.—No. 12350 L. A. (II)/6P-4/71.—5th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3, of the "Gazette of India", dated 21st May 1955;

And whereas the Government is satisfied that land is needed for a public purpose, namely, for the construction of a Telephone Exchange Building at Dhakuria in the village of Garfa, jurisdiction list No. 19, police-station Jadavpur, district 24-Parganas, it is hereby declared that a piece of land as described in the schedule below and measuring more or less 0·5810 of a hectare (1·44 acres), is needed for the aforesaid public purpose at the public expense within the aforesaid village of Garfa.

This declaration is made, under the provisions of section 6 of the Land Acquisition Act, 1894 (I of 1894), read with the said notification, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Alipore, 24-Parganas (South).

Description of the land

Mauza Garfa, jurisdiction list No. 19, police-station Jadavpur, district 24-Parganas.

Cadastral survey plots in full—885, 884, 883, 882, 881, 871, 878, 879, 880.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
872	South-west corner ..	·025	·0101
877	South-side	·005	·0020

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

MALDA.—No. 11976 L. A. (II)/4I/15/73.—2nd July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for purpose of the Union have been entrusted to the State Government by notification No. 20/1/55/Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3 of the "Gazette of India", dated 14th May 1955;

And whereas the Governor is satisfied that land is needed for public purpose, namely, for the Farakka Barrage Project in the village of Paranpur, jurisdiction list No. 18, police-station Kaliachak district Malda, it is hereby declared that a piece of land as described in the schedule below and measuring, more or less, 2·6992 hectares (6·67 acres) is needed for the aforesaid public purpose at the public expense within the aforesaid village of Paranpur.

This declaration is made, under provisions of section 6, of Act I of 1894, read with sub-section (4) of section 17 of the Land Acquisition Act, together with the said notification.

A plan of the land may inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Babupara Main Road, P.O. Berhampur, district Murshidabad.

Description of the land

Mauza Paranpur, jurisdiction list No. 18, police-station Kaliachak, district Malda.

Cadastral survey plots in full—1652, 1924, 1925 and 2310.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1653	Western	2·02	0·8175
1654	Western	0·46	0·1862
1655	Western	0·50	0·2023
1921	Northern corner ..	0·06	0·0243
1923	Except eastern portion ..	1·18	0·4776
1926	North-western corner ..	0·11	0·0445

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

DECLARATIONS

MALDA.—No. 12272 L. A. (II)/41-4-74.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3, of the "Gazette of India", dated 14th May 1955;

And whereas the Governor is satisfied that land is needed for public purpose, namely, for the Farakka Barrage Project in the village of Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda, it is hereby declared that a piece of land as described in the schedule below and measuring more or less, 136·1076 hectares (336·33 acres) is needed for the aforesaid public purpose at the public expense within the aforesaid village of Jitnagar :

This Declaration is made, under provisions of section 6 of Act I of 1894 read with sub-section (4) of section 17 of the Land Acquisition Act together with the said notification.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, P.O. Berhampur, village Babupara, district Murshidabad.

Description of the land

Mauza Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda.

Cadastral survey plots in full—22 to 28, 36 to 44, 47, 48, 49, 51 to 54, 58, 59, 63, 65, 68, 79 to 102, 104, 107 to 116, 120 to 130, 133 to 138, 141 to 153, 156, 169, 179, 182 to 191, 193 to 202, 240 to 242, 244 to 246, 248 to 256, 259 to 273, 281 to 291, 293 to 300, 304 to 309, 311 to 334, 336 to 346, 349 to 352, 355 to 358, 361 to 363, 365, 40/396, 106/397, 352/401, 268/398, 279/399, 350/400, 177/404, 309/405 and 309/407.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
2	Except north-west and middle portion.	4·27	1·7280
3	Except north-west and middle portion.	2·28	0·9227
4	Except north-west and middle portion.	1·79	0·7244
5	Except north-west portion	1·48	0·5990
6	Except north-west portion	1·46	0·5909
7	South-east portion ..	·78	0·3157

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
8	Except north-west ..	6·04	2·4443
9	Except north-west ..	5·28	2·1368
10	Except north-west ..	2·82	1·1412
11	Except north-west ..	2·67	1·0805
21	South-east portion ..	·25	·1011
29	South-east portion ..	·70	·2833
30	South-east portion ..	1·59	·6436
34	South-east portion ..	·13	·0326
35	South-east portion ..	·20	·0809
45	South-east portion ..	·28	·1133
46	South-east portion ..	·34	·1376
55	South-east portion ..	2·22	·8984
56	South-east portion ..	·51	·2065
57	South-east portion ..	·71	·2873
60	South-east portion ..	1·04	·4209
61	South-east portion ..	·32	·1295
69	South-east portion ..	1·72	·6961
70	South-east portion ..	1·43	·5787
71	South-east portion ..	·76	·3126
72	South-east portion ..	1·46	·5909
73	South-east portion ..	1·08	·4371
74	South-east portion ..	·93	·3763
75	South-east portion ..	·38	·1538
76	South-east portion ..	1·82	·7365
77	South-east portion ..	·52	·2104
78	Except north-west corner	·78	·3157
154	South-east and middle of north-west.	2·75	1·1128
155	South-east and middle of north-west.	1·85	·7486
157	South-east and middle of north-west.	2·09	·8458
158	South-east corner ..	·01	·0040
159	South-east and middle of north-west.	2·06	·8337
160	South-east and middle of north-west.	2·66	1·0765
161	South-east and middle of north-west.	2·46	·9955
162	South-east and middle of north-west.	1·61	·6515
164	South-east and middle of north-west.	1·25	·5058
165	South-east and middle of north-west.	1·36	·5504
166	South-east and middle of north-west	1·47	·5949
167	Except middle and north-west	1·59	·6436
168	Except middle portion and north-west corner.	1·03	·4168
170	Except middle portion ..	1·53	·6191
171	Except middle portion ..	1·50	·6070
172	Except middle portion ..	1·79	·7244
173	Except middle portion ..	1·94	·7851
174	South-east portion and north-west.	1·79	·7244
175	Except north-west portion	1·93	·7810
176	Except north-west portion	4·06	1·6430
178	Except north-west portion	1·66	·6718
181	Except north-west corner	·93	·3763
204	Except middle ..	3·86	1·5621
205	Except north-west portion	1·01	·4087
206	Except south-east portion	1·12	·4533
207	Except middle portion ..	·89	·3601
208	Except middle portion ..	1·05	·4249
209	Except north-west portion	·48	·1943
210	Except north-west portion	·46	·1862
211	North-west portion —	·64	·2570
212	Except middle portion ..	1·25	·5058
213	Except middle portion ..	1·35	·5463
214	Except middle portion ..	1·32	·5342
215	South-east portion and north-west corner.	·77	·3116
216	South-east portion ..	1·17	·4735
217	South-east portion ..	·44	·1781
218	South-east portion ..	·57	·2306
219	South-east portion ..	·52	·2104
220	South-east portion ..	·53	·2144
221	South-east portion ..	1·72	·6961
222	South-east portion ..	1·95	·7811
223	South-east portion ..	·44	·1781
224	South-east portion ..	·29	·1173
225	South-east portion ..	·36	·1457
226	South-east portion ..	·23	·0930
227	South-east portion ..	·45	·1821
228	South-east portion ..	·40	·1619
229	South-east portion ..	·40	·1619
230	South-east portion ..	·38	·1538
231	South-east portion ..	·69	·2792
232	South-east portion ..	·58	·2347
233	South-east portion ..	·24	·0971
234	South-east portion ..	·22	·0809
235	South-east portion ..	·17	·0688
236	South-east portion ..	·75	·0607
237	South-east portion ..	·11	·0445
238	South-east portion ..	·09	·0364
239	South-west corner ..	·04	·0162
251	Eastern portion	·70	·2833
257	Except south-east corner	1·42	·5747
258	Except eastern portion ..	2·37	·9591
274	Except eastern portion ..	·87	·3520
275	North-western portion ..	·83	·3358
276	North-western portion ..	·81	·3277
278	North-western portion ..	·92	·3723
279	North-western portion ..	·66	·2671
280	Except Eastern portion	4·26	1·7240
302	Eastern portion ..	1·73	·7001
310	Eastern portion ..	·97	·3925
347	Except eastern portion ..	1·70	·6880
348	Except eastern portion ..	3·21	1·2990
353	Except eastern portion ..	1·00	·4047
359	Except eastern portion ..	2·05	·8296
364	Except eastern portion ..	2·51	1·0157
378	North-west corner ..	·03	·0121
364/402	Western portion ..	·06	·0243
348/406	Western portion ..	·04	·0162

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

MALDA.—No. 12284 L. A. (II)/41-5/74.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894) in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of th Constitution of India as S.R.O. 1074 and published at page 868, Part II, Section 3, "Gazette of India", dated 14th May 1955;

And whereas the Governor is satisfied that land is needed for public purpose, namely, for Farakka Barrage Project in the village of Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda, it is hereby declared that pieces of land as described in the schedule below and measuring altogether, more or less, 63·0934 hectares (15·9075 acres) is needed for the aforesaid public purpose at the public expense within the aforesaid village of Jitnagar;

This declaration is made, under the provision of section 6 of Act I of 1894, read with sub-section (4) of section 17 of the Land Acquisition Act together with the aforesaid notification.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, village Babupara, P.O. Berhampur, district Murshidabad.

Schedule of land

Mauza Jitnagar, jurisdiction list No. 17, police-station Kaliachak, district Malda.

Cadastral survey plots in full—1001 to 1053, 1056 to 1059, 1062 to 1065, 1068 to 1071, 1074 to 1077, 1080 to 1083, 1086 to 1089, 1091 to 1157, 1162 to 1217, 1219 to 1227, 1234 to 1243, 1245, 1287, 1288, 1290, 1291, 1295 to 1326, 1328 to 1333, 1335, 1364 to 1366, 1372, 1374,1008/3002, 1009/3003, 1014/3101, 1015/3102, 1017/3141,1030/3147, 1052/3144, 1053/3145, 1053/3149, 1018/3215,1018/3216, 1115/3210, 1116/3211, 1117/3212, 1146/2244,1146/3168, 1184/3103, 1184/3107, 1185/3108, 1187/3136, 1187/2270, 1194/3105, 1196/3106, 1198/2249, 1197/2248, 1199/2250, 1201/3104, 1216/3134, 1217/3135, 1234/3221, 1316/2251, 1322/3132, 1324/3001, 1341/3214, 1338/3167, 1372/3208, 1372/3209, 1333/3137, 1374/3156, 1693/3220 and 1698/3004.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1054	North-west portion ..	·11	·0445
1055	North-west portion ..	·22	·0890
1060	North-west portion ..	·24	·0971
1061	North-west portion ..	·14	·0567
1066	North-west portion ..	·16	·0648
1067	North-west portion ..	·14	·0567
1072	North-west portion ..	·16	·0648
1073	North-west portion ..	·16	·0648
1078	North-west portion ..	·18	·0729
1079	North-west portion ..	·16	·0648
1084	North-west portion ..	·37	·1497
1085	North-west portion ..	·43	·1740
1090	North-west portion ..	·75	·3035
1158	Western portion ..	·11	·0445
1159	Western portion ..	·06	·0243
1160	Western portion ..	·07	·0283
1161	Except south-east corner	·29	·5220
1218	Northern side ..	·38	·1538
1228	Except south-east corner	·51	·2063
1229	Except north-west corner	·09	·0364
1232	North-west corner ..	·02	·0081
1233	Except south-east corner	·90	·3642
1244	Except south-east corner	·06	·0243
1246	Northern portion ..	·05	·0202
1247	North-west corner ..	·01	·0040
1248	Western portion ..	·01	·0040
1249	Northern portion ..	·15	·0607
1250	Northern portion ..	·07	·0283
1251	North-west corner ..	·03	·0121
1279	Except south-east corner	·0075	·0030
1286	Western portion ..	·20	·0809
1289	Except south-east corner	·06	·0242
1292	Except south-east corner	·05	·0202
1293	Northern portion ..	·03	·0121
1327	Except eastern portion	·52	·2104
1334	Except middle of southern	2·10	·8498
1336	Except south-east corner	·30	·1214
1337	Except south-east corner	·09	·0364
1338	Eastern portion ..	·07	·0283
1341	Except western portion	·24	·0971
1342	Eastern portion ..	·25	·1012
1344	North-east corner ..	·15	·0607
1363	South-west corner ..	·04	·0162
1367	Northern portion ..	·24	·0971
1368	North-west corner ..	·06	·0242
1369	Western portion ..	·20	·0809
1370	North-west corner ..	·01	·0040
1371	Except south-east corner	·77	·3116
1373	Western portion ..	·55	·2225
1375	North-west corner ..	·15	·0607
1644	Northern portion ..	·05	·0202
1682	Except southern portion	1·68	·6799
1683	Except eastern portion	1·26	·5099
1684	Except eastern portion	·78	·3157
1685	Except eastern portion	·76	·3076
1686	Except eastern portion	·71	·2873
1687	Western portion .	·73	·2954
1688	Western portion ..	·57	·2306
1689	Western portion ..	·63	·2549
1690	Western portion ..	·53	·2144
1691	Western portion ..	1·00	·4047
1693	Western portion ..	·22	·0890
1694	Western portion ..	·27	·1192
1697	Western portion ..	·77	·3116
1698	Western portion ..	·45	·1821
1700/2245	Western portion ..	2·70	1·0926
1701/2246	North-west corner	·23	·0930
1054/3146	Except north-west corner	·04	·0162
1369/3169	North-west corner	·01	·0040
1336/3164	Eastern portion ..	·03	·0121
1336/3165	Eastern portion ..	·04	·0162
1372/2252	Except north-west corner	·76	·3076
1373/3116	Western portion ..	·26	·1052

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

MALDA.—No. 12296 L. A. (II)/4I-18/73.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, section 3, of the "Gazette of India", dated 21st May 1955;

And whereas the Governor is satisfied that land is needed for public purposes, namely, for the Farakka Barrage Project in the village of Narayanpur, jurisdiction list No. 22, police-station Manikchak, district Malda, it is hereby declared that a piece of land as described in the schedule below and measuring, more or less, 24·8597 hectares (61·43 acres) is needed for the aforesaid public purpose at the public expense within the aforesaid village of Narayanpur;

This declaration is made, under provisions of section 6 of Act I of 1894 read with sub-section (4) of section 17 of the Land Acquisition Act together with the aforesaid notification.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Berhampur, Babupara, P.O. Berhampur, district Murshidabad.

Description of the land

Cadastral survey plots in full—2008, 2013, 2015, 2017 2018, 2019, 2041, 2123, 2125, 2128, 2133, 2134, 2137, to 2145, 2243, 2248, 2041/2554, 2132/2559 and 2041/2555.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1063	South-west corner ..	·26	·1052
1066	Southern portion ..	·33	·1335
1068	South-west	·15	·0607
2001	Except north-east portion	1·80	·7284
2002	Except eastern side ..	3·32	1·3436
2003	Except eastern side ..	2·84	1·1493
2004	Except eastern side ..	1·48	·5990
2006	Except eastrn side ..	·61	·2468
2009	Except eastern side ..	·57	·2306
2010	Except eastern side ..	1·16	·4695
2011	Except eastern side ..	1·17	·4735
2012	Except eastern side ..	·67	·2711
2016	Except north-east corner	·66	·2671
2040	Southern portion ..	·83	·3358
2042	South-west	·48	·1943
2121	North-west ..	·20	·0809
2122	Except eastern portion ..	·40	·1619
2127	Except eastern portion ..	·64	·2590
2129	Except southern portion and north-east corner.	2·32	·9389
2130	North-east portion ..	1·52	·6151
2131	Eastern side and near middle south-east.	·54	·2185
2132	Eastern side except north-east	2·00	·8094
2135	Eastern side ..	·81	·3277
2146	Except southern ..	1·74	·7042
2136	Except north-west ..	1·00	·4047
2242	Except north-west ..	3·33	1·3476
2249	Except south-east ..	2·40	·9712
2254	Except south-west ..	·76	·3076
2241	South-east corner ..	·01	·0040

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

MALDA.—No. 12308 L. A. (II)/41-24/73.—4th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (I) of Article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, section 3 of the "Gazette of India", dated 14th May 1955;

And whereas the Governor is satisfied that land is needed for public purposes, namely, for the Farakka Barrage Project in the village of Paranpur, jurisdiction list No. 18, police-station Kaliachak, district Malda, it is hereby declared that a piece of land as described in the schedule below and measuring, more or less, 123·2831 hectares (304·64 acres) is needed for the aforesaid public purpose at the public expense within the aforesaid village of Paranpur.

This declaration is made, under provisions of section 6 of Act I of 1894 read with sub-section (4) of section 17 of the Land Acquisition Act together with the aforesaid notification.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Farakka Barrage Project, Babupara Main Road, P.O. Berhampur, district Murshidabad.

Schedule

Mauza Paranpur, jurisdiction list No. 18, police-station Kaliachak, district Malda.

Cadastral survey plots in full—126, 135, 136, 282, 843 to 851, 854 to 864, 874 to 876, 878 to 881, 888, 892, 893, 951 to 953, 958 to 968, 970, 972 to 978, 980 to 982, 985 to 1006, 1008 to 1010, 1012, 1013, 877/1015, 1101 to 1116, 1126 to 1127, 1131 to 1146, 1149 to 1174, 1177 to 1195 and 1197 to 1200.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
119	Southern	3·00	1·2141
122	Southern	·24	·0971
125	Western	10·00	3·6422
137	Western	5·20	2·1044
141	Western	2·70	1·0926
142	Western	2·54	1·0279
143	Western	2·30	·9308
144	Western	2·06	·8337
145	Western	1·81	·7324
146	Western	3·74	1·5135
147	Western	1·30	·5261
148	Western	1·25	·5058
149	Western	1·19	·4816
150	Western	·52	·2104
151	Western	·34	·1376
152	Western	·17	·0688
154	Western	·10	·0405
155	Western	·05	·0202
171	Western	5·75	2·3269
174	Western	·74	·2995
175	Western	·55	·2225

Plot No.	Specific Portion of the plot.	Area in acre.	Area in hectare.
176	Western	1·71	·6920
177	Western	1·98	·8013
178	Western	1·06	·4290
245	Eastern	·70	·2833
246	Eastern	·22	·0890
247	Eastern	·32	·1295
248	Eastern	·27	·1092
249	Eastern	·18	·0729
250	Eastern	·22	·0890
251	Eastern	·34	·1376
252	Eastern	·23	·0930
253	Eastern	·40	·1619
254	Eastern	·22	·0890
255	Eastern	·21	·0849
256	Eastern	·20	·0809
257	Eastern	·44	·1781
258	Eastern	·67	·2711
259	Eastern	·22	0890
260	Eastern	34	·1376
261	Eastern	38	·1538
262	Eastern	80	·3237
263	Eastern	·43	·1740
264	Eastern	·26	·1052
265	Eastern	·27	·1092
266	Eastern	·38	·1538
267	Eastern	·38	1538
268	Eastern	·38	1538
269	Eastern	56	·2266
270	Eastern	·34	·1376
271	Eastern	·46	·1862
272	Eastern	·70	·2833
273	Eastern	·60	2428
274	Eastern	·40	·1619
275	Eastern	·26	·1052
276	Eastern	·24	·0971
280	Eastern	·20	·0809
281	Eastern	·15	·0607
802	Middle portion ..	·70	·2833
803	Middle portion ..	1·10	·4452
804	Middle	·56	·2266
806	Middle	·46	·1862
807	Southern	·52	·2104
809	Southern	·50	·2023
810	Southern	·44	·1781
812	Southern	·32	·1295
813	Southern	·56	·2671
814	Southern	·78	·3157
815	Southern	·78	·3157
816	Southern	·34	·1376
817	Southern	·46	·1862
818	Southern	·33	·1362
819	Southern	·48	·1943
820	Southern	·75	·3035
821	Southern	1·06	·4290
822	Southern	1·06	·4290
823	Southern	·58	·2347
824	Southern	·35	·1416
825	Southern	·30	·1214
826	Southern	·43	·1740
827	Southern	·34	·1376
828	Southern	·30	·1214
829	Southern	·62	·2509
830	Southern	·38	·1538
831	Southern	·14	·0567
832	Southern	·13	·0526
833	Southern	·24	·0971
834	Southern	·10	·0405
835	Southern	·20	·0809
836	Southern	·70	·2833
837	Southern	·24	·0971
838	Southern	·23	·0930
839	Southern	·44	·1781
840	Southern	·20	·0809
841	Southern	·30	·1214
842	Southern	·30	·1214
865	Northern	·74	·2995
866	Northern	·30	·1214
867	Northern	·68	·2752
868	Northern	·97	·3925
869	Northern	·56	·2266
870	Northern	·64	·2590
871	Northern	·45	·1821
872	Northern	·33	·1335
873	Northern	1·78	·7204
877	Western	2·03	·8215
882	Eastern	1·36	·5504
883	Eastern	·37	·1497
887	Northern	·04	·0162
889	Western	·30	·1214
891	Western	·17	·0688
894	Northern	·60	·2428
895	Northern	·65	·2630
896	Northern	·18	·0729
897	Eastern	·02	·0081
901	Eastern	·06	·0243
902	Eastern	·19	·0769
903	Eastern	·12	·0486
904	Middle	·04	·0162
918	Southern	·20	·0809
919	Southern	·24	·0971
920	Southern	·22	·0890
921	Souhtern	·18	·0729
922	Southern	·18	·0729
923	Southern	·24	·0971
924	Southern	·35	·1416
925	Southern	·40	·1619
926	Southern	·64	·2590
927	Eastern	·48	·1943
928	Eastern	12·71	5·1434
929	Eastern	·12	·0486
930	Eastern	·04	·0162
954	Southern	·22	·0890
955	Southern	·04	·0162
956	Southern	·10	·0405
957	Southern	·15	·0607
969	Southern	1·12	·4533
1011	Western	·74	·2995
869 1014	Eastern ..	1·00	·4047
1117	Western	·66	·2671
1118	Western	·97	·3925
1119	Western	·71	·2873
1120	Eastern	·32	·1295
1121	Eastern	·54	·2185
1122	Eastern	·30	·1214
1128	Eastern	·07	·0283
1129	Eastern	·03	·0121
1148	Western	1·12	·4533

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

MIDNAPORE.—No. 12488 L. A. /18-2/71.—6th July 1974.—Whereas the Governor is satisfied that land is needed for a public purpose, namely, for expansion of Kshetrahat Haradhan Institution in the villages of Kshetrahat and Pathuria, jurisdiction list Nos. 238 and 249 respectively, police-station Panskura, district Midnapore, it is hereby declared that pieces of land as described in the schedule below and measuring, more or less, 0·8704 of a hectare (2·15 acres) is needed for the aforesaid public purpose partly at the public expense and partly at the expense of the authorities of the Kshetrahat Haradhan Institution within the aforesaid villages of Pathuria and Kshetrahat.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 (Act I of 1894) to all whom it may concern.

A plan of the land may be inspected in the office of the Collector, Midnapore.

The Schedule

Mauza Kshetrahat, jurisdiction list No. 238, police-station Panskura, district Midnapore.

Revisional survey plots in full—14 and 68.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
10	Western	·19	·0769
13	Southern	·12	·0486

Mauza Pathuria, jurisdiction list No. 249, police-station Panskura, district Midnapore.

Revisional survey plots in full—375, 382, 383, 384, 385, 386, 387 and 388.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
389	Eastern	·12	·0486
390	Eastern	·12	·0486

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

HOOGHLY.—No. 12494 L. A. (II)/5D-106/71—6th July 1974.—Whereas the Governor is satisfied that land is needed for a public purpose, namely, for Sectional Officer's office-cum-quarters of Polba Irrigation Section for the Damodar Valley Corporation, in the village of Polba, jurisdiction list No. 96, police-station Polba, district Hooghly, it is hereby declared that a piece of land as detailed below and measuring, more or less, 0·2 23 of a hectare (0·50 of an acre) is needed for the aforesaid public purpose at the expense of the aforesaid Damodar Valley Corporation within the aforesaid village of Polba.

This declaration is made under the provisions of section 6, Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Damodar Valley Project, Chinsurah (Hooghly).

Description of the land

Mauza Polba, jurisdiction list No. 96, police-station Polba, district Hooghly.

Revisional survey plots in full—1292, 4501, 4502, 4504/6095.

Revisional survey plot in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1293	Northern	·06	·0243

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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सत्यमेव जयते

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 3255/MIM-52/72.—5th July 1974. — The Governor is pleased to replace the services of Shri Salil Kumar Chatterjee, W.B.C.S., now appointed as Executive Officer, Baranagar Municipality, at the disposal of Home (G.A.) Department.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3257/M2A-36/74. — 5th July 1974. — Whereas Government in their notification No. 454/M2A-36/74, dated the 25th February 1974, issued an order under section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of the 1932), declaring that the Khardah Municipality in the district of 24-Parganas shall have an Executive Officer for a period up to the 30th June 1974 from the date on which the Executive Officer assumes charge of his office;

And whereas the said period of appointment is due to expire on the 30th June 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri S. K. Bardhan Roy, W.B.J.C.S. (retd.), shall continue as the Executive Officer of the Khardah Municipality, until further orders, during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 2180M1M-93/73, dated the 31st May 1974.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3258/M2A-86/73. — 5th July 1974. — Whereas Government in their Notification No. 7092/M2A-57/71, dated the 29th December 1971, issued an order under section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), declaring that the Nabadwip Municipality in the district of Nadia shall have an Executive Officer for a period up to the 31st March 1972 from the date on which the Executive Officer assumes charge of his office;

And whereas in notification No. 913/M2A-57/71, dated the 20th March 1972, No. 3284/M2A-57/71pt., dated the 7th July 1972, No. 22/M2A-40/71, dated the 5th January 1973, No. 952/M2A-57/71pt.I., dated the 17th March 1973, No. 4034/M2A-57/71pt.I., dated the 29th September 1973 and No. 252/M2A-26/73, dated the 2nd February 1974, the said period of appointment was extended up to the 31st July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased to direct that Shri Bani Ranjan Roy, Special Officer, Grade-II, under the Department of Municipal Services, shall continue to be the Executive Officer, Nabadwip Municipality, in the district of Nadia and that during the extended period, the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by notification No. 2133/M2A-85/73, dated the 23rd May 1974.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3259/MIM-163/73. — 5th July 1974 — Whereas the term of four years provided by clause (a) of sub-section (1) of section 56 of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), for which the Commissioners of the Baduria Municipality in the district of 24-Parganas as at present constituted were to hold office expired on the 24th February 1974;

And whereas, by notification No. 5093/MIM-163/73, dated the 16th November 1973, the said term was extended up to the 15th July 1974;

And whereas the Governor thinks it fit to extend the said term of office of the said municipality for the purpose of holding the election;

Now, therefore, in exercise of the power conferred by sub-section (5) of section 56 of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased hereby to extend the term of office of the Commissioners of the Baduria Municipality for a further period from the 16th July 1974 to the 31st March 1975, both the days inclusive.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3260/MIM-165/73. 5th July 1974. — Whereas the term of four years provided by clause (a) of sub-section (1) of section 56 of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), for which the Commissioners of the New Barrackpore Municipality in the district of 24-Parganas as at present constituted are to hold office will expire on the 21st July 1974,

And whereas, the Governor thinks it fit to extend the said term of office of the Commissioners of the said municipality for the purpose of holding the general election;

Now, therefore, in exercise of the power conferred by sub-section (5) of section 56 of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased hereby to extend the term of office of the Commissioners of the New Barrackpore Municipality for the period from the 22nd July 1974 to the 31st March 1975, both the days inclusive.

By order of the Governor,
K. P. GORAI,
Dy. Secy to the Govt. of West Bengal.

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 16318F.S./FS/14R-20/73.—6th July 1974. —Whereas the Governor considers it necessary and expedient so to do in the public interest;

Now, therefore, in exercise of the power conferred by paragraph 6 of the West Bengal Essential Foodstuffs (Declaration of Stocks by Importers and Godown-keepers) Order, 1973, the Governor is pleased hereby to exempt, until further orders, all companies registered under the Companies Act, 1956 (Act I of 1956), each of which has its registered office in the State of West Bengal and has the Governor of West Bengal as one of its shareholders and is engaged, among other things, in purchase, storage, processing, movement, transport, distribution and sale of foodgrains and foodstuffs, from the operation of all the provisions of the said order.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Govt. Press, Alipore.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 8070-W.T.—8th July 1974.—The following draft of an amendment which in exercise of the power conferred by section 12 of the Bengal Motor Vehicles Tax Act, 1932 (Ben Act I of 1932), the Governor proposes to make in the West Bengal Motor Vehicles Tax Rules, 1957 (published with notification No. 3521-W.T., dated the 1st June 1957, at pages 1945-1964 of Part I of the "Calcutta Gazette", dated the 6th June 1957), as subsequently amended (hereinafter referred to as the said rules), is hereby published, as required by sub-section (1) of the said section, for the information of persons likely to be affected thereby.

2. The draft will be taken into consideration on or after the 17th of August 1974 and any objection or suggestion with respect thereto which may be received by the undersigned before that date shall be considered.

Draft amendment

In rule 33 of the said rules, for the words and punctuation "Transport Commissioner, West Bengal", substitute the words and punctuation "Director, Public Vehicles Department, Calcutta".

By order of the Governor,

D. CHAKRABARTI,

Dy. Secy. to the Govt. of West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Govt. Press, Alipore.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

The following Act of Parliament received the assent of the President on the 11th May, 1974, and is hereby published for general information:—

THE FINANCE ACT, 1974

No. 20 of 1974

[11*th May*, 1974]

ARRANGEMENT OF SECTIONS

SECTIONS

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CHAPTER II

RATES OF INCOME-TAX

2. Income-tax.

CHAPTER III

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THE FIRST SCHEDULE.

THE SECOND SCHEDULE.

THE THIRD SCHEDULE.

THE FINANCE ACT, 1974

No. 20 of 1974

[11*th May*, 1974]

An Act to give effect to the financial proposals of the Central Government for the financial year 1974-75.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (*1*) This Act may be called the Finance Act, 1974. **Short title and commencement.**

(*2*) Save as otherwise provided in this Act, sections 2 to 17 shall be deemed to have come into force on the 1st day of April 1974.

CHAPTER II

RATES OF INCOME-TAX

2. (*1*) Subject to the provisions of sub-sections (*2*), (*3*) and (*4*), for the assessment year commencing on the 1st day of April, 1974, income-tax shall be charged at the rates specified in Part I of the First Schedule and shall be increased,— **Income-tax.**

(*a*) in the cases to which Paragraphs A, B and D of that Part apply, by a surcharge for purposes of the Union;

(*b*) in the cases to which Paragraph C of that Part applies, by a surcharge for purposes of the Union and a special surcharge for purposes of the Union; and

(*c*) in the cases to which Paragraphs E and F of that Part apply, by a surcharge,

calculated in each case in the manner provided therein.

(2) In the cases to which Sub-Paragraph I or Sub-Paragraph II of Paragraph A of Part I of the First Schedule applies, where the assessee has, in the previous year, any net agricultural income, in addition to total income, and the total income exceeds five thousand rupees, then,—

(*a*) the net agricultural income shall be taken into account, in the manner provided in clause (*b*) (that is to say, as if the net agricultural income were comprised in the total income after the first five thousand rupees of the total income but without being liable to tax), only for the purpose of charging income-tax in respect of the total income; and

(*b*) the income-tax chargeable shall be calculated as follows:—

(*i*) the total income and the net agricultural income shall be aggregated and the amount of income-tax shall be determined in respect of the aggregate income at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if such aggregate income were the total income;

(*ii*) the net agricultural income shall be increased by a sum of five thousand rupees and the amount of income-tax shall be determined in respect of the net agricultural income as so increased at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if the net agricultural income as so increased were the total income;

(*iii*) the amount by which income-tax determined in accordance with sub-clause (*i*) exceeds the amount of income-tax determined in accordance with sub-clause (*ii*) shall be the income-tax chargeable in respect of the total income:

Provided that in cases where Sub-Paragraph I of the said Paragraph A applies,—

(*A*) where the aggregate income referred to in sub-clause (*i*) exceeds fifteen thousand rupees but does not exceed fifteen thousand one hundred and eighty rupees, the provisions of that Sub-Paragraph relating to surcharge on income-tax shall, for the purposes of determining the amount of income-tax under sub-clause (*ii*), apply subject to the modifications that such surcharge shall be calculated at the rate arrived at by dividing the amount of surcharge on income-tax calculated in respect of the aggregate income by the amount of income-tax (excluding surcharge) calculated in respect of the aggregate income and that the provisions of the proviso at the end of that Sub-Paragraph shall not apply;

(*B*) where the aggregate income referred to in sub-clause (*i*) exceeds fifteen thousand one hundred and eighty rupees, the provisions of that Sub-Paragraph relating to surcharge on income-tax shall, for the purposes of determining the amount of income-tax under sub-clause (*ii*), apply subject to the modifications that such surcharge shall be calculated at the rate of fifteen per cent. and that

the provisions of the proviso at the end of that Sub-Paragraph shall not apply.

(3) Where in the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956, the total income includes any profits and gains from life insurance business, the income-tax payable by it shall be the aggregate of the income-tax calculated—

31 of 1956.

(i) on the amount of profits and gains from life insurance business so included, at the rate applicable in the case of the Life Insurance Corporation of India, in accordance with Paragraph E of Part I of the First Schedule, to that part of its total income which consists of profits and gains from life insurance business; and

(ii) on the remaining part of its total income, at the rate applicable to the company on its total income.

(4) In cases to which Chapter XII or section 164 of the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act) applies, the tax chargeable shall be determined as provided in that Chapter or that section, and with reference to the rates imposed by sub-section (1) or the rates as specified in that Chapter or section, as the case may be.

43 of 1961.

(5) In cases in which tax has to be deducted under sections 193, 194, 194A, 194B, 194D and 195 of the Income-tax Act at the rates in force, the deduction shall be made at the rates specified in Part II of the First Schedule.

(6) Subject to the provisions of sub-section (7), in cases in which income-tax has to be calculated under the first proviso to sub-section (5) of section 132 of the Income-tax Act or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head "Salaries" or deducted under sub-section (9) of section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed, at the rate or rates in force, such income-tax or, as the case may be, "advance tax" shall be so calculated, charged, deducted or computed at the rate or rates specified in Part III of the First Schedule:

Provided that in respect of any income chargeable to tax under section 164 of the Income-tax Act at the rate of sixty-five per cent., "advance tax" shall be computed at that rate.

(7) In the cases to which Sub-Paragraph I or Sub-Paragraph II of Paragraph A of Part III of the First Schedule applies, where the assessee has, in the previous year or, if by virtue of any provision of the Income-tax Act income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any net agricultural income, in addition to total income, and the total income exceeds six thousand rupees, then, in calculating income-tax under the first proviso to sub-section (5) of section 132 of the Income-tax Act or in charging income-tax under sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or in computing the "advance tax" payable under Chapter XVII-C of the said Act, at the rate or rates in force,—

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) (that is to say, as if the net agricultural income were comprised in the total income after the first six thousand rupees of the total income but without being liable to tax), only for the purpose of calculating, charging or computing such income-tax or, as the case may be, "advance tax" in respect of the total income; and

(b) such income-tax or, as the case may be, "advance tax" shall be so calculated, charged or computed as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax or "advance tax" shall be determined in respect of the aggregate income at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of six thousand rupees and the amount of income-tax or "advance tax" shall be determined in respect of the net agricultural income as so increased at the rates specified in Sub-Paragraph I or, as the case may be, Sub-Paragraph II of the said Paragraph A, as if the net agricultural income as so increased were the total income;

(iii) the amount by which income-tax or, as the case may be, "advance tax" determined in accordance with sub-clause (i) exceeds the amount of income-tax or "advance tax" determined in accordance with sub-clause (ii) shall be the income-tax or "advance tax" in respect of the total income.

(8) For the purposes of this section and the First Schedule,—

(a) "company in which the public are substantially interested" means a company which is such a company as is referred to in section 108 of the Income-tax Act;

(b) "domestic company" means an Indian company, or any other company which, in respect of its income liable to income-tax under the Income-tax Act for the assessment year commencing on the 1st day of April, 1974, has made the prescribed arrangements for the declaration and payment within India of the dividends (including dividends on preference shares) payable out of such income in accordance with the provisions of section 194 of that Act;

(c) "industrial company" means a company which is mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining.

Explanation.—For the purposes of this clause, a company shall be deemed to be mainly engaged in the business of generation or distribution of electricity or any other form of power or in the construction of ships or in the manufacture or processing of goods or in mining, if the income attributable to any one or more of the aforesaid activities included in its total income of the previous year (as computed before making any deduction under Chapter VIA of the Income-tax Act) is not less than fifty-one per cent. of such total income;

(d) "insurance commission" means any remuneration or reward, whether by way of commission or otherwise, for soliciting or procuring insurance business (including business relating to the continuance, renewal or revival of policies of insurance);

(e) "net agricultural income", in relation to a person, means the total amount of agricultural income, from whatever source derived, of that person computed in accordance with the rules contained in Part IV of the First Schedule;

(*f*) "tax-free security" means any security of the Central Government issued or declared to be income-tax free, or any security of a State Government issued income-tax free, the income-tax whereon is payable by the State Government;

(*g*) all other words and expressions used in this section or in section 16 or in the First Schedule but not defined in this sub-section and defined in the Income-tax Act shall have the meanings, respectively, assigned to them in that Act.

CHAPTER III

DIRECT TAXES

Income-tax

3. In section 10 of the Income-tax Act,— Amendment of section 10

(*a*) in clause (*10*),—

(*i*) after the words "revised Pension Rules of the Central Government", the words, brackets and figures "or, as the case may be, the Central Civil Services (Pension) Rules, 1972" shall be inserted and shall be deemed to have been inserted with effect from the 1st day of June, 1972;

(*ii*) for the words "or under any similar scheme of a State Government or a local authority", the following shall be substituted and shall be deemed always to have been substituted, namely:—

"or under any similar scheme applicable to the members of the civil services of the Union or holders of posts connected with defence or of civil posts under the Union (such members or holders being persons not governed by the said Rules) or to the members of the all-India services or to the members of the civil services of a State or holders of civil posts under a State or to the employees of a local authority";

(*b*) for clause (*10*) as so amended, the following clause shall be substituted with effect from the 1st day of April, 1975, namely:—

'(*10*) (*i*) any death-*cum*-retirement gratuity received under the revised Pension Rules of the Central Government or, as the case may be, the Central Civil Services (Pension) Rules, 1972, or under any similar scheme applicable to the members of the civil services of the Union or holders of posts connected with defence or of civil posts under the Union (such members or holders being persons not governed by the said Rules) or to the members of the all-India services or to the members of the civil services of a State or holders of civil posts under a State or to the employees of a local authority or any payment of retiring gratuity received under the Pension Code or Regulations applicable to the members of the defence services;

39 of 1972. (*ii*) any gratuity received under the Payment of Gratuity Act, 1972, to the extent it does not exceed an amount calculated in accordance with the provisions of sub-sections (*2*) and (*3*) of section 4 of that Act;

(*iii*) any other gratuity received by an employee on his retirement or on his becoming incapacitated prior to such retirement or on termination of his employment, or any gratuity received by his widow, children or dependants on his death, to

the extent it does not, in either case, exceed one-half month's salary for each year of completed service, calculated on the basis of the average salary for the three years immediately preceding the year in which the gratuity is paid, subject to a maximum of thirty thousand rupees or twenty months' salary so calculated, whichever is less:

Provided that where any gratuities referred to in this clause are received by an employee from more than one employer in the same previous year, the aggregate amount exempt from income-tax under this clause shall not exceed thirty thousand rupees;

Provided further that where any such gratuity or gratuities was or were received in any one or more earlier previous years also and the whole or any part of the amount of such gratuity or gratuities was not included in the total income of the assessee of such previous year or years, the amount exempt from income-tax under this clause shall not exceed thirty thousand rupees as reduced by the amount or, as the case may be, the aggregate amount not included in the total income of any such previous year or years.

Explanation.—In this clause, "salary" shall have the meaning assigned to it in clause (*h*) of rule 2 of Part A of the Fourth Schedule;';

(*c*) in clause (*10A*), in sub-clause (*i*), for the words "or under any similar scheme applicable to the members of the Defence Services or to the employees of a State Government, a local authority", the following shall be substituted and shall be deemed always to have been substituted, namely:—

"or under any similar scheme applicable to the members of the civil services of the Union or holders of posts connected with defence or of civil posts under the Union (such members or holders being persons not governed by the said Rules) or to the members of the all-India services or to the members of the defence services or to the members of the civil services of a State or holders of civil posts under a State or to the employees of a local authority";

(*d*) after clause (*23A*), the following clause shall be inserted with effect from the 1st day of June, 1974, namely:—

'(*23B*) any income of an institution constituted as a public charitable trust or registered under the Societies Registration Act, 1860, or under any law corresponding to that Act in force in any part of India, and existing solely for the development of khadi or village industries or both, and not for purposes of profit, to the extent such income is attributable to the business of production, sale, or marketing, of khadi or products of village industries:

21 of 1860.

Provided that—

(*i*) the institution applies its income, or accumulates it for application, solely for the development of khadi or village industries or both; and

(*ii*) the institution is, for the time being, approved for the purpose of this clause by the Khadi and Village Industries Commission:

Provided further that the Commission shall not, at any one time, grant such approval for more than three assessment years beginning with the assessment

year next following the financial year in which it is granted.

Explanation.—For the purposes of this clause,—

(*i*) "Khadi and Village Industries Commission" means the Khadi and Village Industries Commission established under the Khadi and Village Industries Commission Act, 1956; 61 of 1956.

(*ii*) "khadi" and "village industries" have the meanings respectively assigned to them in that Act;'.

Amendment of section 16.

4. In section 16 of the Income-tax Act, with effect from the 1st day of April, 1975,—

(*a*) for clause (*i*), the following clause shall be substituted, namely:—

"(*i*) in respect of expenditure incidental to the employment of the assessee, a sum calculated on the basis provided hereunder, namely:—

(*a*) where the salary derived from such employment does not exceed Rs. 10,000	20 per cent. of such salary ;
(*b*) where the salary derived from such employment exceeds Rs. 10,000	Rs. 2,000 *plus* 10 per cent. of the amount by which such salary exceeds 10,000 *or* Rs. 3,500, whichever is less ;

Provided that—

(*i*) where the assessee is in receipt of a conveyance allowance from his employer; or

(*ii*) where any motor car, motor cycle, scooter or other moped is provided to the assessee by his employer for use by the assessee, otherwise than wholly and exclusively in the performance of his duties; or

(*iii*) where one or more motor cars are owned or hired by the employer of the assessee and the assessee is allowed the use of such motor car or all or any of such motor cars, otherwise than wholly and exclusively in the performance of his duties,

the deduction under this clause shall not exceed one thousand rupees;";

(*b*) clauses (*iii*), (*iv*) and (*v*) shall be omitted.

Amendment of section 36.

5. In section 36 of the Income-tax Act, in clause (*viii*) of sub-section (*1*), with effect from the 1st day of April, 1975,—

(*a*) for the portion beginning with the words "an amount not exceeding—" and ending with the words "ten per cent.,", the following shall be substituted, namely:—

"an amount not exceeding—

(*a*) in the case of a Financial Corporation or a Joint Financial Corporation established under the State Financial Corporations Act, 1951, or an institution deemed under section 46 of that Act to be a Financial Corporation established by the State Government for the State within the meaning of that Act, forty per cent., 63 of 1951.

(*b*) in the case of any other financial corporation,—

(*i*) where the paid-up share capital of the corporation does not exceed three crores of rupees, twenty-five per cent.,

(*ii*) where the paid-up share capital of the corporation exceeds three crores of rupees, ten per cent.,";

(*b*) the *Explanation* shall be omitted.

Amendment of section 74A.

6. In section 74A of the Income-tax Act, with effect from the 1st day of April, 1975,—

(*a*) in sub-section (*1*), for the words "except against income, if any, from the same source", the words "against income, if any, from any other source under that head or against income under any other head" shall be substituted;

(*b*) after sub-section (*2*), the following sub-section shall be inserted, namely:—

'(*3*) Where for any assessment year, in the case of an assessee, being the owner of horses maintained by him for running in horse races (such horses being hereafter in this sub-section referred to as race horses), the net result of the computation in respect of the source specified in clause (*c*) of sub-section (*2*) is a loss, then, so much of the amount of such loss as does not exceed the amount of loss incurred by the assessee in the activity of owning and maintaining race horses shall, subject to the other provisions of this Chapter, be carried forward to the following assessment year and—

(*a*) it shall be set off against the income, if any, from the source specified in clause (*c*) of sub-section (*2*) assessable for that assessment year:

Provided that the activity of owning and maintaining race horses is carried on by him in the previous year relevant for that assessment year; and

(*b*) if the loss cannot be wholly so set off, the amount of loss not so set off shall be carried forward to the following assessment year and so on; so, however, that no portion of the loss shall be carried forward for more than four assessment years immediately succeeding the assessment year for which the loss was first computed.

Explanation.— For the purposes of this sub-section—

(*a*) "amount of loss incurred by the assessee in the activity of owning and maintaining race horses" means—

(*i*) in a case where the assessee has no income by way of stake money, the amount of expenditure (not being in the nature of capital expenditure) laid out or expended by him wholly and exclusively for the purposes of maintaining the race horses ;

(*ii*) in a case where the assessee has income by way of stake money, the amount by which such income falls short of the amount of expenditure (not being in the nature of capital expenditure) laid out or expended by the assessee wholly and exclusively for the purposes of maintaining race horses;

(*b*) "horse race" means a horse race upon which wagering or betting may be lawfully made;

(*c*) "income by way of stake money" means the gross amount of prize money received on a race horse or race horses by the owner thereof on account of the horse or horses or any one or more of the horses winning or being placed second or in any lower position in horse races.'.

Amendment of section 80MM.

7. In section 80MM of the Income-tax Act, with effect from the 1st day of April, 1975,—

(*a*) in sub-section (*1*), the words and brackets "or a person (other than a company) who is resident in India" shall be omitted;

(*b*) sub-section (*2A*) shall be omitted.

Amendment of section 80N.

8. In section 80N of the Income-tax Act,—

(*a*) the words and brackets "or a person (other than a company) who is resident in India" shall be omitted with effect from the 1st day of April, 1975;

(*b*) for the words "is included in the gross total income of the assessee, there shall be allowed a deduction of the whole of such income,", the words "included in the gross total income of the assessee is received in convertible foreign exchange in India, or having been received in convertible foreign exchange outside India, or having been converted into convertible foreign exchange outside India, is brought into India, by or on behalf of the assessee in accordance with any law for the time being in force for regulating payments and dealings in foreign exchange, there shall be allowed a deduction of the whole of the income so received in, or brought into, India," shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 1969;

(*c*) the following *Explanation* shall be inserted, and shall be deemed to have been inserted, at the end, with effect from the 1st day of April, 1969, namely:—

'*Explanation.*—For the purposes of this section,—

(*i*) "convertible foreign exchange" means foreign exchange which is for the time being treated by the Reserve Bank of India as convertible foreign exchange for the purposes of the law for the time being in force for regulating payments and dealings in foreign exchange;

(*ii*) any income used by the assessee outside India in the manner permitted by the Reserve Bank of India shall be deemed to have been brought into India in accordance with the law for the time being in force for regulating payments and dealings in foreign exchange, on the date on which such permission is given.'.

Amendment of section 80O.

9. In section 80O of the Income-tax Act,—

(*a*) in sub-section (*1*),—

(*i*) for the words "there shall be allowed, in accordance with and subject to the provisions of this section, a deduction of the whole of such income", the words "and such income is received in convertible foreign exchange in India, or having been received in convertible foreign exchange outside India, or having been converted into convertible foreign exchange outside India, is brought into India, by or on behalf of the assessee in accordance with any law for the time being in force for regulating payments and dealings in foreign exchange, there

shall be allowed, in accordance with and subject to the provisions of this section, a deduction of the whole of the income so received in, or brought into, India" shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 1972;

(*ii*) the following *Explanation* shall be inserted and shall be deemed to have been inserted at the end, with effect from the 1st day of April, 1972, namely:—

"*Explanation.*—The provisions of the *Explanation* to section 80N shall apply for the purposes of this section as they apply for the purposes of that section.";

(*b*) in sub-section (*1*) as so amended, for the brackets, figure and words "(*1*) Where the gross total income of an assessee, being an Indian company or a person (other than a company) who is resident in India,", the words "Where the gross total income of an assessee, being an Indian company," shall be substituted with effect from the 1st day of April, 1975;

(*c*) sub-section (2) shall be omitted with effect from the 1st day of April, 1975.

10. In section 139 of the Income-tax Act, with effect from the 1st day of April, 1975.— **Amendment of section 139.**

(*a*) after sub-section (*1*), the following sub-section shall be inserted, namely:—

'(*1A*) Notwithstanding anything contained in sub-section (*1*), no person need furnish under that sub-section a return of his income or the income of any other person in respect of whose total income he is assessable under this Act, if his income or, as the case may be, the income of such other person during the previous year consisted only of income chargeable under the head "Salaries" or of income chargeable under that head and also income of the nature referred to in any one or more of clauses (*i*) to (*ix*) of sub-section (*1*) of section 80L and the following conditions are fullfilled, namely:—

(*a*) where he or such other person was employed during the previous year by a company, he or such other person was at no time during the previous year a director of the company or a beneficial owner of shares in the company (not being shares entitled to a fixed rate of dividend whether with or without a right to participate in profits) carrying not less than twenty per cent. of the voting power;

(*b*) his salary or the salary of such other person, exclusive of the value of all benefits or amenities not provided for by way of monetary payment, does not exceed eighteen thousand rupees;

(*c*) the amount of income of the nature referred to in clauses (*i*) to (*ix*) of sub-section (*1*) of section 80L, if any, does not, in the aggregate, exceed three thousand rupees; and

(*d*) the tax deductible at source under section 192 from the income chargeable under the head "Salaries" has been deducted from that income.

Explanation.—For the purposes of this sub-section, "salary" shall have the meaning assigned to it in clause (*1*) of section 17.';

(*b*) in sub-section (*3*), after the word and figures "section 74", the words, brackets, figures and letter "or sub-section (*3*) of section 74A" shall be inserted.

Amendment of section 209.

11. In the Income-tax Act, section 209 shall be re-numbered as sub-section (*1*) thereof and—

(*a*) in sub-section (*1*) as so re-numbered, for the words "The amount of advance tax payable by an assessee in the financial year shall be computed as follows:—", the words, brackets and figures "The amount of advance tax payable by an assessee in the financial year shall, subject to the provisions of sub-sections (*2*) and (*3*), be computed as follows:—" shall be substituted;

(*b*) after sub-section (*1*) as so re-numbered, the following sub-sections shall be inserted, namely:—

"(*2*) Where the Finance Act of the relevant year provides that, in the case of any class of assessees, net agricultural income (as defined in that Act) shall be taken into account for the purposes of computing advance tax, then, the net agricultural income to be taken into account in the case of any assessee falling in that class, shall be—

(*a*) in cases where the Income-tax Officer makes an order under sub-section (*1*) or sub-section (*3*) of section 210,—

(*i*) if the total income of the latest previous year in respect of which the assessee has been assessed by way of regular assessment forms the basis of computation of advance tax payable by him, the net agricultural income which has been taken into account for the purposes of charging income-tax for the assessment year relevant to that previous year; or

(*ii*) if the total income of the previous year on the basis of which tax has been paid by the assessee under section 140A forms the basis of computation of advance tax, the net agricultural income as returned by the assessee in the return of income for the assessment year relevant to that previous year;

(*b*) in cases where an estimate is sent by the assessee under sub-section (*1*) or sub-section (*2*) or sub-section (*3*) or sub-section (*3A*) of section 212, the net agricultural income, as estimated by him, of the period which would be the previous year for the immediately following assessment year.

(*3*) Where the Finance Act of the relevant year specifies any separate rate or rates for the purposes of computing advance tax in the case of every Hindu undivided family which has at least one member whose total income of the previous year exceeds the maximum amount not chargeable to income-tax in his case, then, the Income-tax Officer shall for making an order under section 210 in the case of any such Hindu undivided family, compute (subject to the provisions of section 164) the advance tax at such rate or rates—

(*a*) in a case where the total income of the latest previous year in respect of which the Hindu undivided family has been assessed by way of regular assessment forms the basis of computation of advance tax, if the total income of any member of the family for the assessment year relevant to such latest previous year exceeds

the maximum amount not chargeable to income-tax in his case;

(*b*) in a case where the total income of the previous year on the basis of which tax has been paid by the Hindu undivided family under section 140A forms the basis of computation of advance tax, if the total income of any member of the family for the assessment year relevant to such previous year exceeds the maximum amount not chargeable to income-tax in his case.".

Amendment of Fourth Schedule.

12. In the Fourth Schedule to the Income-tax Act, in Part A,—

(*a*) in sub-rule (*3*) of rule 5, after clause (*b*), the following clause shall be inserted, namely:—

"(*c*) the fund may also consist of any amount transferred from the individual account of an employee in any recognied provident fund maintained by his former employer and the interest in respect thereof.";

(*b*) in rule 8, with effect from the 1st day of April, 1975,—

(*i*) in clause (*ii*), the word "or" shall be inserted at the end;

(*ii*) after clause (*ii*), the following clause and *Explanation* shall be inserted, namely:—

"(*iii*) if, on the cessation of his employment, the employee obtains employment with any other employer, to the extent the accumulated balance due and becoming payable to him is transferred to his individual account in any recognised provident fund maintained by such other employer.

Explanation.—Where the accumulated balance due and becoming payable to an employee participating in a recognised provident fund maintained by his employer includes any amount transferred from his individual account in any other recognised provident fund or funds maintained by his former employer or employers, then, in computing the period of continuous service for the purposes of clause (*i*) or clause (*ii*) the period or periods for which such employee rendered continuous service under his former employer or employers aforesaid shall be included.".

Consequential amendments to certain sections

13. (*1*) The following amendment (being an amendment of a consequential nature) shall be made in the Income-tax Act, namely:—

In section 155, after sub-section (*10*), the following sub-sections shall be inserted, namely:—

"(*11*) Where in the assessment for any year, the deduction under section 80N in respect of any income, being the whole or any part of income by way of dividends as is referred to in that section, has not been allowed on the ground that such income has not been received in convertible foreign exchange in India, or having been received in convertible foreign exchange outside India, or having been converted into convertible foreign exchange outside India, has not been brought into India, by or on behalf of the assessee in accordance with any law for the time being in force for regulating payments and dealings in foreign exchange and subsequently such income or part thereof is received in, or brought into, India in

the manner aforesaid, the Income-tax Officer shall amend the order of assessment so as to allow deduction under section 80N in respect of such income or part thereof as is so received in, or brought into, India and the provisions of section 154 shall, so far as may be, apply thereto, the period of four years specified in sub-section (*7*) of that section being reckoned from the date on which such income is so received in or brought into, India.

(*12*) Where in the assessment for any year, the deduction under section 80O in respect of any income, being the whole or any part of income by way of royalty, commission, fees or any similar payment as is referred to in that section, has not been allowed on the ground that such income has not been received in convertible foreign exchange in India, or having been received in convertible foreign exchange outside India, or having been converted into convertible foreign exchange outside India, has not been brought into India, by or on behalf of the assessee in accordance with any law for the time being in force for regulating payments and dealings in foreign exchange and subsequently such income or part thereof is received in, or brought into, India in the manner aforesaid, the Income-tax Officer shall amend the order of assessment so as to allow deduction under section 80O in respect of such income or part thereof as is so received in, or brought into, India and the provisions of section 154 shall, so far as may be, apply thereto, the period of four years specified in sub-section (*7*) of that section being reckoned from the date on which such income is so received in, or brought into, India.".

(*2*) The following amendments (being amendments of a consequential nature) shall be made in the Income-tax Act with effect from the 1st day of April, 1975, namely:—

(*i*) in sub-section (*2*) of section 75, for the words, brackets and figures "or sub-section (*1*) of section 74", the words, brackets, figures and letter ".", sub-section (*1*) of section 74 or sub-section (*3*) of section 74A" shall be substituted;

(*ii*) in clause (*b*) of sub-section (*2*) of section 77, after the word and figures "section 74", the words, brackets, figures and letter "or sub-section (*3*) of section 74A" shall be inserted;

(*iii*) in section 80, after the word and figures "section 74", the words, brackets, figures and letter "or sub-section (*3*) of section 74A" shall be inserted;

(*iv*) in sub-section (*3*) of section 80A, the words, figures and letters "or section 80MM or section 80N or section 80O" shall be omitted;

(*v*) in clause (*iv*) of sub-section (*2*) of section 141A, after the word and figures "section 74", the words, brackets, figures and letter "or sub-section (*3*) of section 74A" shall be inserted;

(*vi*) in sub-clause (*iv*) of clause (*b*) of sub-section (*1*) of section 143, after the word and figures "section 74", the words, brackets, figures and letter "or sub-section (*3*) of section 74A" shall be inserted;

(*vii*) in sub-section (*4*) of section 155, after the word and figures "section 74", the words, brackets, figures and letter "or sub-section (*3*) of section 74A" shall be inserted;

(*vii*) in section 157, for the words, brackets and figures "or sub-section (*1*) of section 74", at both the places where they occur, the words, brackets, figures and letter ", sub-section (*1*) of section 74 or sub-section (*3*) of section 74A" shall be substituted.

Wealth-tax

Amendment of Act 27 of 1957.

14. In the Wealth-tax Act, 1957, with effect from the 1st day of April, 1975,—

(*1*) in clause (*e*) of section 2,—

(*a*) in item (*ii*) of sub-clause (2), for the words "any annuity", the words and brackets "any annuity (not being an annuity purchased by the assessee or purchased by any other person in pursuance of a contract with the assessee)" shall be substituted;

(*b*) in the proviso, for the words, brackets and figures "items (*i*) to (*iii*)", the word, brackets and figure "item (*i*)" and for the words, brackets and figures "items (*i*) to (*v*)", the words, brackets and figures "items (*i*) to (*iii*)" shall be substituted;

(2) in section 5,—

(*a*) in sub-section (*1*),—

(*i*) for clause (*iva*), the following clause shall be substituted, namely:—

"(*iva*) agricultural land belonging to the assessee;";

(*ii*) in clause (*ivb*), in the proviso, for the words "as dwelling house, store house or outhouse", the words "as store house or for keeping livestock" shall be substituted;

(*iii*) in clause (*vi*), the following proviso shall be inserted at the end, namely:—

"Provided that in the case of a policy of insurance the premium or other payment whereon is payable during a period of less than ten years, the amount that shall not be included in the net wealth of the assessee under this clause shall be a sum that bears to the value of the right or interest of the assessee in the policy the same proportion as the number of years during which the premium or other payment on the policy is payable bears to ten;";

(*b*) in sub-section (*1A*), for the word, brackets and figures "clauses (*xv*),", the word, brackets, figures and letter "clauses (*iva*), (*xv*)," shall be substituted;

(*3*) in the Schedule, in Paragraph A of Part I, for items (*1*) and (*1A*), the following items shall be substituted, namely:—

"(*1*) In the case of every individual or Hindu undivided family, not being a Hindu undivided family to which item (*1A*) of this Paragraph applies—

Rate of tax

(*a*) where the net wealth does not exceed Rs. 5,00,000	1 per cent. of the net wealth;
(*b*) where the net wealth exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000.	Rs. 5,000 *plus* 3 per cent. of the amount by which the net wealth exceeds Rs. 5,00,000;
(*c*) where the net wealth exceeds Rs. 10,00,0000 but does not exceed Rs. 15,00,000.	Rs. 20,000 *plus* 4 per cent. of the amount by which the net wealth exceeds Rs. 10,00,000;
(*d*) where the net wealth exceeds Rs. 15,00,000	Rs. 40,000 *plus* 8 per cent. of the amount by which the net wealth exceeds Rs. 15,00,000;

Provided that for the purposes of this item,—

(*i*) no wealth-tax shall be payable where the net wealth does not exceed the following limit, namely:—

(*A*) 'Rs. 1,00,000, in the case of an individual;

(*B*) Rs. 2,00,000, in the case of a Hindu undivided family;

(*ii*) the wealth-tax payable shall, in no case, exceed 10 per cent. of the amount by which the net wealth exceeds the limit specified in sub-clause (*A*) or, as the case may be, sub-clause (*B*) of clause (*i*) of this proviso.

(*1A*) In the case of every Hindu undivided family which has at least one member whose net wealth assessable for the assessment year exceeds Rs. 1,00,000—

	Rate of tax
(*a*) where the net wealth does not exceeds Rs. 5,00,000	3 per cent. of the net wealth;
(*b*) where the net wealth exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 15,000 *plus* 4 per cent. of the amount by which the net wealth exceeds Rs. 5,00,000,
(*c*) where the net wealth exceeds Rs. 10,00,000	Rs. 35,000 *plus* 8 per cent. of the amount by which the net wealth exceeds Rs. 10,00,000:

Provided that for the purposes of this item,—

(*i*) no wealth-tax shall be payable where the net wealth does not exceed Rs. 2,00,000;

(*ii*) the wealth-tax payable shall, in no case, exceed 10 per cent. of the amount by which the net wealth exceeds Rs. 2,00,000.".

Surtax

Amendment of Act 7 of 1964.

15. In the Companies (Profits) Surtax Act, 1964, in the Third Schedule, with effect from the 1st day of April, 1975,—

(*a*) for the figures and words "30 per cent.", the figures and words "40 per cent." shall be substituted;

(*b*) the following proviso shall be inserted at the end, namely:—

"Provided that where in the case of an Indian company or a company which has made the prescribed arrangements for the declaration and payment of dividends within India—

(*i*) which is such a company as is referred to in section 108 of the Income-tax Act, and

(*ii*) whose paid-up share capital (subscribed and paid for in cash) as on the last day of the previous year, is not less than twenty-five per cent. of the amount of the capital as computed under the Second Schedule to this Act,

the aggregate of—

(*a*) the amount of income-tax payable by the company in respect of its total income of the previous year under the provisions of the Income-tax Act after making allowance for any relief, rebate or deduction in respect of income-tax to which the company is entitled under the provisions of the said Act or the annual Finance Act; and

(*b*) the amount of surtax computed in accordance with the foregoing provisions of this Schedule,

exceeds the amount calculated at seventy per cent. of the total income of the company, the amount of such excess shall be deducted from the amount of surtax referred to in clause (*b*) above and the balance shall be the amount of the surtax payable by the company.".

Miscellaneous

Continuance of development rebate in certain cases.

16. The notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. S. O. 2167, dated the 28th day of May, 1971, issued under sub-section (*5*) of section 33 of the Income-tax Act shall not apply in respect of—

(*a*) any ship acquired after the 31st day of May, 1974 but before the 1st day of June, 1975 by any assessee, if the assessee furnishes evidence to the satisfaction of the Income-tax Officer that he had, before the 1st day of December, 1973, entered into a contract for the purchase of such ship with the builder or owner thereof;

(*b*) any machinery or plant, being coal-fired equipment, or any machinery or plant for converting oil-fired equipment into coal-fired equipment, installed by any assessee after the 31st day of May, 1974 but before the 1st day of June, 1977.

Explanation.—In this clause, "equipment" means a boiler, furnace, kiln, oven or the like;

(*c*) any machinery or plant [not being machinery or plant referred to in clause (*b*)] installed by any assessee after the 31st day of May, 1974 but before the 1st day of June, 1975, if the assessee furnishes evidence to the satisfaction of the Income-tax Officer that before the 1st day of December, 1973 he had purchased such machinery or plant or had entered into a contract for the purchase of such machinery or plant with the manufacturer or owner of, or a dealer in, such machinery or plant, or had, where such machinery or plant has been manufactured in an undertaking owned by the assessee, taken steps for the manufacture of such machinery or plant,

and accordingly the provisions of the Income-tax Act shall have effect in relation to such ship, machinery or plant, subject to the conditions specified in clauses (*a*), (*b*) and (*c*).

Amendment of sections 80N and 80O. of the Income tax Act as they stood during certain periods.

17. The provisions of section 80N of the Income-tax Act, as they stood immediately before the 1st day of April, 1969, and the provisions of section 80O of that Act, as they stood from time to time before the 1st day of April, 1972, shall have and shall be deemed to have had effect subject to the modification that the deduction under the said provisions shall be allowed only with reference to the income referred to therein which is received in convertible foreign exchange in India, or having been received in convertible foreign exchange outside India, or having been converted into convertible foreign exchange outside India, is brought into India, by or on behalf of the assessee in accordance with any law for the time being in force for regulating payments and dealings in foreign exchange.

Explanation.—For the purposes of this section,—

(*i*) "convertible foreign exchange" means foreign exchange which is for the time being treated by the Reserve Bank of India as convertible foreign exchange for the purposes of the law for the time being in force for regulating payments and dealings in foreign exchange;

(*ii*) any income used by the assessee outside India in the manner permitted by the Reserve Bank of India shall be deemed to have been brought into India in accordance with the law for the time being in force for regulating payments and dealings in foreign exchange, on the date on which such permission is given.

CHAPTER IV

INDIRECT TAXES

18. In the Indian Tariff Act, 1934 (hereinafter referred to as the Tariff Act),— **Amendment of Act 32 of 1934.**

(*a*) in section 3, after sub-section (*3*), the following sub-sections shall be inserted, namely:—

"(*4*) Notwithstanding anything contained in sub-section (*1*), where the Central Government is satisfied that in the interests of trade including promotion of exports, it is necessary to take immediate action for discontinuing the preferential rate, or increasing the preferential rate to a rate not exceeding the standard rate, or decreasing the preferential rate, in respect of an article specified in the First Schedule, the Central Government may, by notification in the Official Gazette, direct an amendment of the said Schedule to be made so as to provide for such discontinuance of, or increase or decrease, as the case may be, in, the preferential rate.

(*5*) Every notification issued under sub-section (*4*) shall, as soon as may be after it is issued, be laid before each House of Parliament.";

(*b*) in the First Schedule, in Item No. 22(4), for the entry in the fourth column against sub-item (*a*), the entry "Rs. 80.00 per litre or 270 per cent. *ad valorem*, whichever is higher." shall be substituted.

19. (*1*) In the case of goods mentioned in the First Schedule to the Tariff Act, or in that Schedule as amended from time to time, there shall be levied and collected as an auxiliary duty of customs an amount equal to twenty per cent. of the value of the goods as determined in accordance with the provisions of section 14 of the Customs Act, 1962 (hereinafter referred to as the Customs Act). **Auxiliary duties of customs.** **52 of 1962.**

(*2*) Sub-section (*1*) shall cease to have effect after the 31st day of March, 1975, except as respects things done or omitted to be done before such cesser; and section 6 of the General Clauses Act, 1897, shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act. **10 of 1897.**

(*3*) The auxiliary duties of customs referred to in sub-section (*1*) shall be in addition to any duties of customs chargeable on such goods under the Customs Act, or any other law for the time being in force.

(*4*) The provisions of the Customs Act, and the rules and regulations made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the auxiliary duties of customs leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of customs on such goods under that Act or those rules and regulations, as the case may be.

20. In the Indian Tariff (Amendment) Act, 1949, in sections 4 and 5, for the figures "1974", the figures "1975" shall be substituted. **Amendment of Act I of 1949.**

Amendment of Act I of 1944.

21. The Central Excises and Salt Act, 1944 (hereinafter referred as the Central Excises Act) shall be amended in the manner specified in the Second Schedule.

Auxiliary duties of excise.

22. (*1*) In the case of goods mentioned in the First Schedule to the Central Excises Act, or in that Schedule as amended from time to time, there shall be levied and collected as an auxiliary duty of excise an amount equal to twenty per cent. of the value of the goods as determined in accordance with the provisions of section 4 of the Central Excises Act.

(*2*) Sub-section (*1*) shall cease to have effect after the 31st day of March, 1975, except as respects things done or omitted to be done before such cesser; and section 6 of the General Clauses Act, 1897, shall apply upon such cesser as if the said sub-section had then been repealed by a Central Act. 10 of 1897.

(*3*) The auxiliary duties of excise referred to in sub-section (*1*) shall be in addition to any duties of excise chargeable on such goods under the Central Excises Act, or any other law for the time being in force.

(*4*) The auxiliary duties of excise referred to in sub-section (*1*) shall be levied for the purposes of the Union and the proceeds thereof shall not be distributed among the States.

(*5*) The provisions of the Central Excises Act and the rules made thereunder, including those relating to refunds and exemptions from duties, shall, as far as may be, apply in relation to the levy and collection of the auxiliary duties of excise leviable under this section in respect of any goods as they apply in relation to the levy and collection of the duties of excise on such goods under that Act or those rules, as the case may be.

Amendment of Act 27 of 1958.

23. The Mineral Products (Additional Duties of Excise and Customs) Act, 1958 (hereinafter referred to as the Mineral Products Act) shall be amended in the manner specified in the Third Schedule.

Discontinuance of salt duty.

24. For the year beginning on the 1st day of April, 1974, no duty under the Central Excises Act or the Tariff Act shall be levied in respect of salt manufactured in, or imported into, India.

CHAPTER V

MISCELLANEOUS

Amendment of Act 5 of 1898.

25. In the First Schedule to the Indian Post Office Act, 1898,—

(*a*) for the sub-headings "*Letters*", "*Letter-cards*" and "*Post cards*" and the entries under those sub-headings, the following shall be substituted, namely:—

"*Letters*

For a weight not exceeding fifteen grams	25 Paise
For every fifteen grams, or fraction thereof, exceeding fifteen grams.	15 Paise

Letter-cards

For a letter-card	20 Paise

Post cards

Single	15 Paise
Reply	30 Paise",

(*b*) for the sub-heading "*Parcels*" and the entries thereunder, the following shall be substituted, namely:—

"*Parcels*

For a weight not exceeding five hundred grams.	One rupee and fifty paise
For every five hundred grams, or fraction thereof, exceeding five hundred grams.	One rupee and fifty paise".

THE FIRST SCHEDULE

(*See* section 2)

PART I

INCOME-TAX AND SURCHARGES ON INCOME-TAX

Paragraph A

Sub-Paragraph I

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (*vii*) of clause (*31*) of section 22 of the Income-tax Act, not being a case to which Sub-Paragraph II of this Paragraph or any other Paragraph of this Part applies,—

Rates of income-tax

(1) where the total income does not exceed Rs. 5,000	*Nil*;
(2) where the total income exceeds Rs 5,000 but does not exceed Rs 10,000	10 per cent. of the amount by which the total income exceeds Rs. 5,000;
(3) where the total income exceeds Rs. 10,000 but does not exceeds Rs. 15,000	Rs. 500 *plus* 17 per cent. of the amount by which the total income exceeds Rs. 10,000;
(4) where the total income exceeds Rs. 15,000 but does not exceed Rs 20,000	Rs. 1,350 *plus* 23 per cent. of the amount by which the total income exceeds Rs. 15,000;
(5) where the total income exceeds Rs. 20,000 but does not exceed Rs 25,000	Rs. 2,500 plus 30 per cent. of the amount by which the total income exceeds Rs. 20,000;
(6) where the total income exceeds Rs. 25,000 but does not exceed Rs 30,000	Rs 4,000 *plus* 40 per cent of the amount by which the total income exceeds Rs. 25,000;
(7) where the total income exceeds Rs 30,000 but does not exceed Rs 40,000	Rs 6,000 *plus* 50 per cent. of the amount by which the total income exceeds Rs 30,000;
(8) where the total income exceeds Rs. 40,000 but does not exceed Rs 60,000	Rs 11,000 *plus* 60 per cent. of the amount by which the total income exceeds Rs. 40,000,
(9) where the total income exceeds Rs. 60,000 but does not exceed Rs 80,000	Rs 23,000 *plus* 70 per cent. of the amount by which the total income exceeds Rs. 60,000;
(10) where the total income exceeds Rs 80,000 but does not exceed Rs. 1,00,000	Rs 37,000 *plus* 75 per cent of the amount by which the total income exceeds Rs. 80,000,
(11) where the total income exceeds Rs 1,00,000 but does not exceed Rs 2,00,000	Rs 52,000 *plus* 80 per cent. of the amount by which the total income exceeds Rs 1,00,000;
(12) where the total income exceeds Rs. 2,00,000	Rs. 1,32,000 *plus* 85 per cent of the amount by which the total income exceeds Rs. 2,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the following rates, namely:—

(a) in a case where the total income does not exceed Rs. 15,000	10 per cent.
(b) in any other case	15 per cent.

Provided that the amount of surcharge payable shall, in no case, exceed the aggregate of the following sums, namely:—

(*i*) an amount calculated at the rate of 10 per cent. on the amount of income-tax on an income of Rs. 15,000, if such income had been the total income (the income of Rs. 15,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the person concerned); and

(*ii*) 40 per cent. of the amount by which the total income exceeds Rs. 15,000.

Sub-Paragraph II

In the case of every Hindu undivided family which at any time during the previous year has at least one member whose total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1974 exceeds Rs. 5,000,—

Rates of income-tax

(1) where the total income does not exceed Rs. 5,000	*Nil*;
(2) where the total income exceeds Rs. 5,000 but does not exceed Rs. 10,000	17 per cent. of the amount by which the total income exceeds Rs. 5,000;
(3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000	Rs. 850 *plus* 23 per cent. of the amount by which the total income exceeds Rs. 10,000;
(4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000	Rs. 2,000 *plus* 30 per cent. of the amount by which the total income exceeds Rs. 15,000;
(5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000	Rs. 3,500 *plus* 40 per cent. of the amount by which the total income exceeds Rs. 20,000;
(6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000	Rs. 5,500 *plus* 50 per cent. of the amount by which the total income exceeds Rs. 25,000;
(7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 40,000	Rs. 8,000 *plus* 60 per cent. of the amount by which the total income exceeds Rs. 30,000;
(8) where the total income exceeds Rs. 40,000 but does not exceed Rs. 60,000	Rs. 14,000 *plus* 70 per cent. of the amount by which the total income exceeds Rs. 40,000;
(9) where the total income exceeds Rs. 60,000 but does not exceed Rs. 80,000	Rs. 28,000 *plus* 75 per cent. of the amount by which the total income exceeds Rs. 60,000;
(10) where the total income exceeds Rs. 80,000 but does not exceed Rs. 1,00,000	Rs. 43,000 *plus* 80 per cent. of the amount by which the total income exceeds Rs. 80,000;
(11) where the total income exceeds Rs. 1,00,000	Rs. 59,000 *plus* 85 per cent. of the amount by which the total income exceeds Rs. 1,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000	15 per cent. of the total income ;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000	Rs. 1,500 *plus* 25 per cent. of the amount by which the total income exceeds Rs. 10,000 ;
(3) where the total income exceeds Rs. 20,000	Rs. 4,000 *plus* 40 per cent. of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax.

Paragraph C

In the case of every registered firm,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000	*Nil*
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000	4 per cent. of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000 ;	Rs. 600 *plus* 6 per cent. of the amount by which the total income exceeds Rs. 25,000 ;
(4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000	Rs. 2,100 *plus* 12 per cent. of the the amount by which the total income exceeds Rs. 50,000 ;
(5) where the total income exceeds Rs. 1,00,000	Rs. 8,100 *plus* 20 per cent. of the amount by which the total income exceeds Rs. 1,00,000.

Surcharges on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by the aggregate of surcharges for purposes of the Union calculated as specified hereunder:—

(*a*) in the case of a registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent. of such total income, a surcharge calculated at the rate of ten per cent. of the amount of income-tax computed at the rate hereinbefore specified;

(*b*) in the case of any other registered firm, a surcharge calculated at the rate of twenty per cent. of the amount of income-tax computed at the rate hereinbefore specified; and

(*c*) a special surcharge calculated at the rate of fifteen per cent. on the aggregate of the following amounts, namely:—

(*i*) the amount of income-tax computed at the rate hereinbefore specified; and

(*ii*) the amount of the surcharge calculated in accordance with clause (*a*) or, as the case may be, clause (*b*).

Explanation.—For the purposes of this Paragraph, "registered firm" includes an unregistered firm assessed as a registered firm under clause (*b*) of section 183 of the Income-tax Act.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income.	50 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of fifteen per cent. of such income-tax.

Paragraph E

In the case of the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956,— 31 of 1956.

Rates of income-tax

(*i*) on that part of its total income which consists of profits and gains from life insurance business	52.5 per cent.;
(*ii*) on the balance, if any, of the total income	the rate of income-tax applicable, in accordance with Paragraph F of this Part, to the total income of a domestic company which is a company in which the public are substantially interested.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge calculated at the rate of five per cent. of such income-tax.

Paragraph F

In the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956,— 31 of 1956.

Rates of income-tax

I. In the case of a domestic company,—

(1) where the company is a company in which the public are substantially interested—	
(*i*) in a case where the total income does not exceed Rs. 1,00,000	45 per cent. of the total income;
(*ii*) in a case where the total income exceeds Rs. 1,00,000	55 per cent. of the total income;
(2) where the company is not a company in which the public are substantially interested—	
(*i*) in the case of an industrial company—	
(*a*) on so much of the total income as does not exceed Rs. 2,00,000	55 per cent.;
(*b*) on the balance, if any, of the total income.	60 per cent.;
(*ii*) in any other case	65 per cent. of the total income;

Provided that the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 1,00,000, shall not exceed the aggregate of—

(*a*) the income-tax which would have been payable by the company if its total income had been Rs. 1,00,000 (the income of Rs. 1,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and

(*b*) eighty per cent. of the amount by which its total income exceeds Rs. 1,00,000.

II. In the case of a company other than a domestic company,—

(*i*) on so much of the total income as consists of—	
(*a*) royalties received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961 or	
(*b*) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964.	
and where such agreement has, in either case, been approved by the Central Government	50 per cent.;
(*ii*) on the balance, if any, of the total income.	70 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge calculated at the rate of five per cent. of such income-tax.

PART II

Rates for deduction of tax at source in certain cases

In every case in which under the provisions of sections 193, 194, 194A, 194B, 194D and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to deduction at the following rates:—

	Income-tax	
	Rate of income-tax	Rate of surcharge
1. In the case of a person other than a company—		
(*a*) where the person is resident—		
(*i*) on income by way of interest other than "Interest on securities"	10 per cent.	*Nil*;

	Income-tax	
	Rate of income-tax	Rate of surcharge
(vi) on income-tax by way of winnings from lotteries and cross-word puzzles	30 per cent.	3 per cent.;
(vii) on income by way of insurance commission	10 per cent.	*Nil*;
(viii) on any other income (excluding interest payable on a tax-free security)	21 per cent.	2 per cent.;
(b) where the person is not resident in India—		
(i) on the whole income (excluding interest payable on a tax-free security)	income-tax at 30 per cent. and surcharge at 3 per cent. of the amount of the income, *or* income-tax and surcharge on income-tax in respect of the income at the rates prescribed in Sub-Paragraph 1 of Paragraph A of Part III of this Schedule if such income had been the total income, whichever is higher;	
(ii) on income by way of interest payable on a tax-free security.	15 per cent.	1.5 per cent.;
2. In the case of a company—		
(a) where the company is a domestic company—		
(i) on income by way of interest other than "Interest on securities"	20 per cent.	1 per cent.;
(ii) on any other income (excluding interest payable on a tax-free security)	22 per cent.	1 per cent.;
(b) where the company is not a domestic company—		
(i) on income by way of dividends payable by any domestic company	24.5 per cent.	1.225 per cent;
(ii) on income by way of royalties payable by an Indian concern in pursuance of an agreement made by it with Indian concern after the 31st day of March, 1961, and which has been approved by the Central Government	50 per cent.	2.5 per cent.;

	Income-tax	
	Rate of income-tax	Rate of surcharge
(iii) on income by way of fees payable by an Indian concern for rendering technical services in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964, and which has been approved by the Central Government	50 per cent.	2.5 per cent.;
(iv) on income by way of interest payable on a tax-free security	44 per cent.	2.2 per cent.;
(v) on any other income ..	70 per cent.	3.5 per cent.

PART III

Rates for calculating or charging income-tax in certain cases, deducting income-tax from income chargeable under the head "Salaries" or any payment referred to in sub-section (9) of section 80E and computing "advance tax".

In cases in which income-tax has to be calculated under the first proviso to sub-section (5) of section 132 of the Income-tax Act or charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 175 or sub-section (2) of section 176 of the said Act or deducted under section 192 of the said Act from income chargeable under the head "Salaries" or deducted under sub-section (9) of section 80E of the said Act from any payment referred to in the said sub-section (9) or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed, at the rate or rates in force, such income-tax or, as the case may be, "advance tax" (not being "advance tax" in respect of any income chargeable to tax under section 164 of the Income-tax Act at the rate of sixty-five per cent.) shall be so calculated, charged, deducted or computed at the following rate or rates:—

Paragraph A

Sub-Paragraph I

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (*vii*) of clause (*31*) of section 2 of the Income-tax Act, not being a case to which Sub-Paragraph II of this Paragraph or any other Paragraph of this Part applies,—

Rates of income-tax

(1) where the total income does not exceed Rs. 6,000	*Nil*;
(2) where the total income exceeds Rs. 6,000 but does not exceed Rs. 10,000	12 per cent. of the amount by which the total income exceeds Rs. 6,000;
(3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,000	Rs. 480 *plus* 15 per cent. of the amount by which the total income exceeds Rs. 10,000;

(4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000	Rs. 1,230 *plus* 20 per cent. of the amount by which the total income exceeds Rs. 15,000 ;
(5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000	Rs. 2,230 *plus* 30 per cent. of the amount by which the total income exceeds Rs. 20,000;
(6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000	Rs. 3,730 *plus* 40 per cent. of the amount by which the total income exceed Rs. 25,000 ;
(7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 50,000	Rs. 5,730 *plus* 50 per cent. of the amount by which the total income exceeds Rs. 30,000 ;
(8) where the total income exceeds Rs. 50,000 but does not exceed Rs. 70,000	Rs. 15,730 *plus* 60 per cent. of the amount by which the total income exceeds Rs. 50,000 ;
(9) where the total income exceeds Rs. 70,000	Rs. 27,730 *plus* 70 per cent. of the amount by which the total income exceeds Rs. 70,000

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax.

Sub-Paragraph II

In the case of every Hindu undivided family which at any time during the previous year has at least one member whose total income of the previous year relevant to the assessment year commencing on the 1st day of April, 1975 exceeds Rs. 6,000,—

Rates of income-tax

(1) where the total income does not exceed Rs. 6,000	*Nil;*
(2) where the total income exceeds Rs. 6,000 but does not exceed Rs. 10,000	15 per cent. of the amount by which the total income exceeds Rs. 6,000;
(3) where the total income exceeds Rs. 10,000 but does not exceed Rs. 15,0000	Rs. 600, *plus* 20 per cent. of the amount by which the total income exceeds Rs. 10,000;
(4) where the total income exceeds Rs. 15,000 but does not exceed Rs. 20,000	Rs. 1,600 *plus* 30 per cent. of the amount by which the total income exceeds Rs. 15,000;
(5) where the total income exceeds Rs. 20,000 but does not exceed Rs. 25,000	Rs. 3,100 *plus* 40 per cent. of the amount by which the total income exceeds Rs. 20,000;
(6) where the total income exceeds Rs. 25,000 but does not exceed Rs. 30,000	Rs. 5,100 *plus* 50 per cent. of the amount by which the total income exceeds Rs. 25,000 ;
(7) where the total income exceeds Rs. 30,000 but does not exceed Rs. 50,000	Rs. 7,600 *plus* 60 per cent. of the amount by which the total income exceeds Rs. 30,000 ;
(8) where the total income exceeds Rs. 50,000	Rs. 19,600 *plus* 70 per cent. of the amount by which the total income exceeds Rs. 50,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000	15 per cent. of the total income;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000	Rs. 1,500 *plus* 25 per cent. of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 20,000	Rs. 4,000 *plus* 40 per cent. of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax.

Paragraph C

Sub-Paragraph I

In the case of every registered firm, not being a case to Sub-Paragraph II of this Paragraph applies,—

Rates of income-tax

(1) where the total income does not exceed Rs. 10,000	*Nil*;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000	5 per cent. of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000	Rs. 750 *plus* 7 per cent. of the amount by which the total income exceeds Rs. 25,000;
(4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000	Rs. 2,500 *plus* 15 per cent. of the amount by which the total income exceeds Rs. 50,000;
(5) where the total income exceeds Rs. 1,00,000	Rs. 10,000 *plus* 24 per cent. of the amount by which the total income exceeds Rs. 1,00,000

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax.

Sub-Paragraph II

In the case of every registered firm whose total income includes income derived from a profession carried on by it and the income so included is not less than fifty-one per cent. of such total income,—

Surcharge on income-tax

(1) where the total income does not exceed Rs. 10,000	*Nil*;

(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 25,000	4 per cent. of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 25,000 but does not exceed Rs. 50,000	Rs. 600 *plus* 7 per cent. of the amount by which the total income exceeds Rs. 25,000;
(4) where the total income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000	Rs. 2,350 *plus* 13 per cent. of the amount by which the total income exceeds Rs. 50,000;
(5) where the total income exceeds Rs. 1,00,000	Rs. 8,850 *plus* 22 per cent. of the amount by which the total income exceeds Rs. 1,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Sub-Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax.

Explanation.—For the purposes of this Paragraph, "registered firm" includes an unregistered firm assessed as a registered firm under clause (*b*) of section 183 of the Income-tax Act.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income.	50 per cent.

Surcharge on income-tax

The amount of income-tax computed at the rate hereinbefore specified shall be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent. of such income-tax.

Paragraph E

In the case of the Life Insurance Corporation of India established under the Life Insurance Corporatoin Act, 1956,— 31 of 1956.

Rates of income-tax

(*i*) on that part of its total income which consists of profits and gains from life insurance business	52·5 per cent.;
(*ii*) on the balance, if any, of the total income	the rate of income-tax applicable in accordance with Paragragh F of this Part, to the total income of a domestic company which is a company in which the public are substantially interested.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge calculated at the rate of five per cent. of such income-tax.

Paragraph F

In the case of a company, other than the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956,— 31 of 1956.

Rates of income-tax

I. In the case of a domestic company,—

(1) where the company is a company in which the public are substantially interested,—	
(*i*) in a case where the total income does not exceed Rs. 1,00,000	45 per cent. of the total income ;

(ii) in a case where the total income exceeds Rs. 1,00,000	55 per cent. of the total income;
(2) where the company is not a company in which the public are substantially interested,—	
(i) in the case of an industrial company—	
(a) on so much of the total income as does not exceed Rs. 2,00,000	55 per cent.;
(b) on the balance, if any, of the total income	60 per cent. :
(ii) in any other case ..	65 per cent. of the total income;

Provided that the income-tax payable by a domestic company, being a company in which the public are substantially interested, the total income of which exceeds Rs. 1,00,000, shall not exceed the aggregate of—

(a) the income-tax which would have been payable by the company if its total income had been Rs. 1,00,000 (the income of Rs. 1,00,000 for this purpose being computed as if such income included income from various sources in the same proportion as the total income of the company); and

(b) eighty per cent. of the amount by which its total income exceeds Rs. 1,00,000.

II. In the case of a company other than a domestic company—

(i) on so much of the total income as consists of—	
(a) royalties received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 31st day of March, 1961, or	
(b) fees for rendering technical services received from an Indian concern in pursuance of an agreement made by it with the Indian concern after the 29th day of February, 1964	
and where such agreement has, in either case been approved by the Central Government	50 per cent.;
(ii) on the balance, if any, of the total income	70 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge calculated at the rate of five per cent. of such income-tax.

PART IV

[*See* section 2(8)(e)]

RULES FOR COMPUTATION OF NET AGRICULTURAL INCOME

Rule 1.—Agricultural income of the nature referred to in sub-clause (a) of clause (1) of section 2 of the Income-tax

Act shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from other sources" and the provisions of sections 57 to 59 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of section 58 shall apply subject to the modification that the reference to section 40A therein shall be construed as not including a reference to sub-sections (3) and (4) of section 40A.

Rule 2.—Agricultural income of the nature referred to in sub-clause (*b*) or sub-clause (*c*) of clause (*1*) of section 2 of the Income-tax Act [other than income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (*c*)] shall be computed as if it were income chargeable to income-tax under that Act under the head "Profits and gains of business or profession" and the provisions of sections 30, 31, 32, 34, 36, 37, 38, 40, 40A [other than sub-sections (*3*) and (*4*) thereof], 41, 43 and 43A of the Income-tax Act shall, so far as may be, apply accordingly.

Rule 3.—Agricultural income of the nature referred to in sub-clause (*c*) of clause (*1*) of section 2 of the Income-tax Act, being income derived from any building required as a dwelling house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (*c*) shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from house property" and the provisions of sections 23 to 27 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of the said section 23 shall apply subject to the modifications that the references to "total income" therein shall be construed as references to net agricultural income and that the words, figures and letter "and before making any deduction under Chapter VIA" shall be omitted.

Rule 4.—Notwithstanding anything contained in any other provisions of these rules, in a case where the assessee derives income from sale of tea grown and manufactured by him in India, such income shall be computed in accordance with rule 8 of the Income-tax Rules, 1962, and sixty per cent. of such income shall be regarded as the agricultural income of the assessee.

Rule 5.—Where the assessee is a partner of a registered firm or an unregistered firm assessed as a registered firm under clause (*b*) of section 183 of the Income-tax Act, which in the previous year has any agricultural income, or is a partner of an unregistered firm which has not been assessed as a registered firm under clause (*b*) of the said section 183 and which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding the maximum amount not chargeable to tax in the case of an unregistered firm but has any agricultural income, then, the agricultural income or loss of the firm shall be computed in accordance with these rules and his share in the agricultural income or loss of the firm shall be computed in the manner laid down in sub-section (*1*), sub-section (2) and sub-section (*3*) of section 67 of the Income-tax Act and the share so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 6.—Where the assessee is a member of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding the maximum

amount not chargeable to tax in the case of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) but has any agricultural income, then, the agricultural income or loss of the association or body shall be computed in accordance with these rules and the share of the assessee in the agricultural income or loss so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 7.—Where the result of the computation for the previous year in respect of any source of agricultural income is a loss, such loss shall be set off against the income of the assessee, if any, for that previous year from any other source of agricultural income:

Provided that where the assessee is a partner of an unregistered firm which has not been assessed as a registered firm under clause (*b*) of section 183 of the Income-tax Act or is a member of an association of persons or body of individuals and the share of the assessee in the agricultural income of the firm, association or body, as the case may be, is a loss, such loss shall not be set off against any income of the assessee from any other source of agricultural income.

Rule 8.—Any sum payable by the assessee on account of any tax levied by the State Government on the agricultural income shall be deducted in computing the agricultural income.

Rule 9.—(*1*) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 1975 or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than that previous year, in such other period, any agricultural income and the net result of the computation of the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 1974 is a loss, then, for the purposes of sub-section (*7*) of section 2 of this Act, the loss so computed shall be set off against the agricultural income of the assessee for the previous year first mentioned or the period aforesaid.

(*2*) Where a change has occurred in the constitution of a firm, nothing in sub-rule (*1*) shall entitle the firm to set off so much of the loss proportionate to the share of a retired or deceased partner computed in the manner laid down in sub-section (*1*), sub-section (*2*) and sub-section (*3*) of section 67 as exceeds his share of profits, if any, of the previous year in the firm, or entitle any partner to the benefit of any portion of the said loss (computed in the manner aforesaid) which is not apportionable to him.

(*3*) Where any person deriving any agricultural income from any source has been succeeded in such capacity by another person, otherwise than by inheritance, nothing in sub-rule (*1*) shall entitle any person other than the person incurring the loss to have it set off under that sub-rule.

(*4*) Notwithstanding anything contained in this rule, no loss which has not been determined by the Income-tax Officer under the provisions of these rules shall be set off under sub-rule (*1*).

Rule 10.—Where the net result of the computation made in accordance with these rules is a loss, the loss so computed shall be ignored and the net agricultural income shall be deemed to be *nil*.

Rule 11.—The provisions of the Income-tax Act relating to procedure for assessment (including the provisions of section 288A relating to rounding off of income) shall, with the

necessary modifications, apply in relation to the computation of the net agricultural income of the assessee as they apply in relation to the assessment of the total income.

Rule 12.—For the purposes of computing the net agricultural income of the assessee, the Income-tax Officer shall have the same powers as he has under the Income-tax Act for the purposes of assessment of the total income.

THE SECOND SCHEDULE

(*See* section 21)

PART I

In the First Schedule to the Central Excises Act,—

(*i*) in Item No. 1A, for the entry in the third column against each of the sub-items (1) and (4), the entry "Ten per cent. *ad valorem.*" shall be substituted;

(*ii*) in Item No. 11A, for the entry in the third column against each of the sub-items (1) and (3), the entry "Twenty per cent. *ad valorem* plus four hundred rupees per metric tonne." shall be substituted;

(*iii*) in Item No. 15AA, for the entry in the third column, the entry "Fifteen per cent. *ad valorem.*" shall be substituted;

(*iv*) in Item No. 17,—

(*a*) in sub-item (2), after the words "cartridge paper,", the words "waxed paper, polyethylene coated paper," shall be inserted;

(*b*) for the entries in the third column against sub-items (1), (2), (3) and (4), the entries "Three rupees per kilogram.", "One rupee and twenty paise per kilogram.", "Sixty paise per kilogram." and "One rupee and twenty paise per kilogram." shall, respectively, be substituted;

(*v*) in Item No. 23A, for the entry in the third column against each of the sub-items (1) and (4), the entry "Twenty-five per cent. *ad valorem.*" shall be substituted;

(*vi*) in Item No. 23B, for the entries in the third column against sub-items (1), (2) and (3), the entries "Twenty-five per cent. *ad valorem.*", "Thirty per cent. *ad valorem.*" and "Thirty per cent. *ad valorem.*" shall, respectively, be substituted;

(*vii*) in Item No. 29A, for the entries in the third column against sub-items (1), (2) and (3), the entries "Seventy-five per cent. *ad valorem.*" "Seventy-five per cent. *ad valorem.*" and "One hundred per cent. *ad valorem.*" shall, respectively, be substituted;

(*viii*) in Item No. 31, for the entry in the third column against sub-item (1), the entry "Twenty-five per cent. *ad valorem.*" shall be substituted;

(*ix*) in Item 33D, for the entry in the third column, the entry "Fifteen per cent. *ad valorem.*" shall be substituted;

(*x*) in Item No. 34, for the entries in the third column against sub-items (1), (2), (3) and (4), the entries "Ten per cent. *ad valorem.*", "Twenty-five per cent. *ad valorem.*", "Forty per cent. *ad valorem.*"

and "Fifteen per cent. *ad valorem.*" shall, respectively, be substituted;

(*xi*) in each of the Items Nos. 46, 49, 50 and 51, for the entry in the third column, the entry "Fifteen per cent. *ad valorem.*" shall be substituted.

PART II

Item No	Description of goods	Rate of duty
(1)	(2)	(3)

In the First Schedule to the Central Excises Act,—

(*i*) after Item No. 14F, the following Item shall be inserted, namely :—

"14FF	TOOTH-PASTE (INCLUDING DENTAL CREAM)	Ten per cent. *ad valorem.*";

(*ii*) after Item No. 28, the following Item shall be inserted, namely :—

"28A	ELECTRICAL STAMPINGS AND LAMINATIONS, ALL SORTS.	Ten per cent. *ad valorem.*";

(*iii*) after Item No. 37A, the following Item shall be inserted, namely :—

"37AA	TAPE RECORDERS (INCLUDING CASSETTE RECORDERS).	Rupees two hundred and fifty each";

(*iv*) for Item No. 37C, the following Item shall be substituted, namely :—

"37C	PHOTOGRAPHIC APPARATUS AND GOODS, THE FOLLOWING, NAMELY:—	
	(1) Photographic cameras	Twenty per cent. *ad valorem.*
	(2) Sensitised papers (including Diazotype papers) and sensitised paper boards	The duty for the time being leviable on the base paper or paper board, as the case may be, if not already paid, *plus* ten per cent. *ad valorem.*";

(*v*) after Item No. 51, the following Item shall be inserted, namely :—

"51A	CUTTING TOOLS, THE FOLLOWING, NAMELY:—	Ten per cent. *ad valorem.*";
	(1) Files and rasps	
	(2) Hacksaw blades	
	(3) Twist drills	
	(4) Reamers	
	(5) Milling cutters.	

(*vi*) the following Item shall be inserted at the end, namely :

"56	PERMANENT MAGNETS	Fifty per cent. *ad valorem.*".
	Explanation.—The expression "permanent magnet" shall include any piece of hard steel, special alloy or other material recognisable by its composition and shape, as being intended to become permanent magnet after magnetising.	

THE THIRD SCHEDULE

(*See* section 23)

In the Table annexed to sub-section (*1*) of section 3 of the Mineral Products Act,

(*i*) for the entry in the second column against Item 3, the entry "Two thousand rupees per kilolitre at fifteen degrees of Centigrade thermometer." shall be substituted ;

(*ii*) for the entry in the second column against Item 7, the entry "Two thousand rupees per metric tonne." shall be substituted.

K. K. SUNDARAM,
Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 1201/L.-S.-G.-4H-60/74.—3rd July 1974.—Whereas Government in their Notification No. 4796/M2A-15/67, dated the 12th July 1967, published at pages 2068-2070 of Part I, of the "Calcutta Gazette, Extraordinary", of the 12th July 1967, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Howrah Municipality in the district of Howrah should have an Executive Officer for a period of three months from the date on which the Executive Officer assumed charge of his office;

And whereas by Notifications No. 8050/M2A-35/67, dated the 29th September 1967; No. 9609/M2A-35/67, dated the 25th November 1967; No. 176/M2A-35/67, dated the 20th January 1968; No. 940/M2A-35/67, dated the 23rd March 1968; No. 1940/L.S.G.-4H-34/68, dated the 29th June 1968, No. 2732/L.S.G.-4H-34/68, dated the 20th September 1968, No. 3802/L.S.G.-4H-34/68, dated the 16th December 1968, No. 778/L.S.G.4H-34/68, dated the 21st March 1969, No. 1935/L.S.G.-4H-34/68, dated the 20th June 1969; No. 3491/L.S.G.-4H-34/68, dated the 25th September 1969, No. 3667/L.S.G.-4H-34/68, dated the 30th October 1969, No. 4040/L.S.G.-4H-34/68, dated the 29th December 1969, No. 533/L.S.G.-4H-34/68, dated the 31st March 1970, No. 1852/L.S.G.-4H-34/68, dated the 18th July 1970, No. 436/L.S.G.-4H-34/68, dated the 18th March 1971, No.610/L.S.G.-4H-34/68, dated the 10th April 1971, No. 730/L.S.G.-4H-34/68, dated the 6th May 1971, No. 1105/L.S.G.-4H-34/68, dated the 11th June 1971, No. 1743/L.S.G.-4H-34/68, dated the 8th July 1971, No. 3061/L.S.G.-4H-34/68, dated the 12th August 1971, No. 3296/L.S.G.-4H-34/68, dated the 3rd September 1971, No. 4120/L.S.G.-4H-72/71, dated the 20th December 1971, No. 737/L.S.G.-4H-72/71, dated the 7th April 1972, No. 1620/L.S.G.-4H-72/71, dated the 10th July 1972, No. 368/L.S.G.-4H-72/71, dated the 22nd February 1973, No. 1663/L.S.G.-4H-72/71, dated the 7th July 1973, and No. 2966/L.S.G.-4H-72/71, dated the 22nd December 1973, the said period of appointment was extended up to the 30th June 1974;

And whereas in the opinion of the Governor a further extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased hereby to extend the period of appointment of the Executive Officer up to the 31st December 1974;

In exercise of the powers conferred by sub-sections (2) and (3) of section 67 of the said Act, the Governor is further pleased hereby to direct that Shri M. N. Banerjee, W.B.C.S., Executive Officer of the Howrah Municipality, shall during the extended period, continue as the Executive Officer of the Howrah Municipality unless and until he is relieved by some other officer, and shall exercise and perform all the powers and duties of the Chairman and the Commissioners whether exercisable at a meeting or otherwise, under the said Act and under the Calcutta Municipal Act, 1923, as

extended to the Howrah Municipality, by Notification No. 260M, dated the 18th January 1932.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 1220/L.S.G.-1C-109/74.—5th July 1974.—In exercise of the power conferred by clause (b) of sub-section (1) of section 82 of the Calcutta Municipal Act, 1951 (West Bengal Act XXXIII of 1951), the Governor is pleased to nominate Prof. Satindra Nath Chakraborty to be a member of the Calcutta Municipal Service Commission with effect from the 14th July 1974, vice Shri Sunil Munshi.

By order of the Governor,
B. MAJUMDAR,
Spl. Officer and ex officio Commissioner and Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

ERRATUM

MALDA. — No. 12652-L.A.(II)/4I-40/64.—9th July 1974.—In Notification No. 4022L.A., dated 18th March 1965, under section 4 of the Land Acquisition Act, 1894 (Act I of 1894), published at pages 591-592, Part I, of the "Calcutta Gazette, Extraordinary" of the 19th March 1965, in respect of acquisition of 77.83 acres of land required for Farakka Barrage Project in the village of Baishnabnagar, jurisdiction list No. 32, police-station Kaliachak, district Malda—

Read the figure "77.68", in place of the figure "77.83" in line 20.

Delete the figure "189/602" from line 29.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

ERRATUM

MALDA. — No. 12657-L.A.(II)/4I-40/64.—9th July 1974.—In Declaration No. 4026L.A., dated 19th March 1965, under section 6 of the Land Acquisition Act, 1894 (Act I of 1894), published at pages 615-616, Part I, of the "Calcutta Gazette, Extraordinary" of the 20th March 1965, in respect of 77.64 acres of land declared for acquisition in connection with Farakka Barrage Project in the village of Baishnabnagar, jurisdiction list No. 32, police-station Kaliachak, district Malda—

Read the figure "77.49" in place of the figure "77.64" in line 20.

Delete the figure "189/602" from line 28.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

ERRATUM

MURSHIDABAD. — No. 12663-L.A.(II)/4I-9/74.—9th July 1974. — In Notification No. 16924-L.A. dated 27th September 1963, under section 4 of Land Acquisition Act, 1894 (I of 1894), published at pages 3404-3405, Part I, of "Calcutta Gazette, Extraordinary" of the 27th September 1963, in respect of acquisition of land for Farakka Barrage Project in the villages of Fatepur, Jafarganj and Ballalpur, jurisdiction list Nos. 46, 47 and 49 respectively, police-station Farakka, district Murshidabad—

Read the figure "897" in place of the figure "917" in line 86.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

ERRATUM

MURSHIDABAD. — No. 12667-L.A.(II)/4I-9/74.—9th July 1974.—In Declaration No. 16927-L.A., dated 27th September 1963, under section 6 of Land Acquisition Act I of 1894, published at page 3432, Part I, of the "Calcutta Gazette, Extraordinary" of the 28th September 1963, in respect of acquisition of land for Farakka Barrage Project in the villages of Fatepur, Jafarganj and Ballalpur, jurisdiction list Nos. 46, 47 and 49 respectively, police-station Farakka, district Murshidabad—

Read the figure "124" in place of the figure "224" in line 36.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

ERRATUM

MURSHIDABAD. — No. 12671-L.A.(II)/4I-9/74.—9th July 1974.—In Declaration No. 9374-L.A., dated 27th May 1964, under section 6 of Land Acquisition Act I of 1894, published at page 1540, Part I, of the "Calcutta Gazette, Extraordinary" of the 27th idem, in respect of acquisition of land for Farakka Barrage Project in the villages of Fatepur, Jafarganj and Ballalpur, jurisdiction list Nos. 46, 47 and 49 respectively, police station Farakka, district Murshidabad—

Read the figure "897" in place of the figure "917" in line 42.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

General Administration

NOTIFICATIONS

No. 982-GAC.—9th July 1974.—Whereas the Governor is of opinion that it is necessary that an inquiry should be made into the following definite matters of public importance, namely, allegations of corruption or nepotism against some of the Ministers of West Bengal;

And whereas no Commission of Inquiry has been appointed by the Central Government to inquire into the aforesaid matters;

Now, therefore, in exercise of the power conferred by section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Governor is pleased hereby to appoint a Commission of Inquiry, consisting of Dr. Justice K. N. Wanchoo, retired Chief Justice of the Supreme Court of India, to inquire into the aforesaid matters with reference to the following points, namely:—

(1) (a) whether Shri Suniti Chattoraj, Deputy Minister for the Department of Irrigation and Waterways and the Department of Power, Government of West Bengal, exercised undue influence to create a special post of Para Medical Assistant in the office of the Chief Medical Officer of Health, Birbhum, for his elder brother Shri Sukumar Chattoraj; and

(b) whether his brother joined the post thus created on 1st November, 1972; and

(c) whether Shri Suniti Chattoraj exercised undue influence to help Shri Prabodh Chattoraj, his elder brother, who was discharged from the service of the Calcutta Corporation on a charge of defalcation, to get a Government loan of Rs.5,00,000 (Rupees five lakhs) to set up a factory of fire-bricks at Niamatpur, Asansol;

as alleged by Shri Suren Seth of 27B Telipara Road, Calcutta-25.

(2) Whether Shri Ajit Panja, Minister-in-charge of Health and Family Planning Department, Government of West Bengal, exercised undue influence—

(a) in the matter of promotion of his brother Dr. Ranjit Kumar Panja to the post of Assistant Professor from the post of Lecturer with effect from May 1, 1971, and to the post of Reader from the post of Assistant Professor with effect from November 30, 1971; and

(b) in the matter of appointment of Dr. Salil Kumar Panja, another brother of his, as Medical Officer on supernumerary duty (Dermatology) on November 1, 1972, at the Institute of Post-Graduate Medical Education and Research; and

(c) in the matter of promotion of Dr. Salil Kumar Panja to the post of Assistant Professor at the same Institute;

as alleged by Shri Taraprasanna Ghosh of 26 Natherbagan Street, Calcutta.

(3) Whether Shri Sitaram Mahato, Minister-in-charge of the Department of Forests, Department of Animal Husbandry and Veterinary Services (excluding Dairy Development Branch) and the Department of Excise, Government of West Bengal, exercised undue influence—

(a) to get a job on Muster Roll basis for his nephew Shri Padma Lochan Mahato in the Soil Conservation Branch of the Forest Department; and

(b) to transfer him within three months to the Territorial Branch as a Forester on regular posting;

as alleged by Shri Sambhunath Bakshi of Nadiha, Purulia, and Shri Tarini Mahato, General Secretary, District Youth Congress Committee, Purulia.

(4) Whether Shri Santosh Kumar Roy, Minister-in-charge of the Department of Refugee Rehabilitation, Relief and Welfare (including Scheduled Castes and Tribes Welfare) and Department of Fisheries, Government of West Bengal, exercised undue influence to secure a job for his sister Sm. Gayatri Roy in the Social Welfare Board without any application, superseding the claims of many candidates with higher qualifications;

as alleged by Shri Jyotisankar Bhattacharyya, son of Shri Arun Kumar Bhattacharyya of Suniti Road, P.O. and district Cooch Behar, Shri Shyamal Chowdhury, son of Shri Suresh Chandra Chowdhury, New Town, P.O. and district Cooch Behar, and Shri Ram Krishna Pal, son of Shri Ramesh Chandra Pal of village Maranowtara, P.O. Chakchaka, district Cooch Behar.

(5) Whether Shri Gobinda Chandra Naskar, Minister of State for Department of Health and Family Planning (excluding Rural Water Supply Branch), Government of West Bengal, took a bribe of Rs.20,000 from Shri Sushil Kumar Banerjee, Kalikapur, P.S. Kasba, Shri Tapan Ganguli, Harapur, P.S. Sonarpur, Shri Naren Pramanick, Daspara, P.S. Sonarpur, and Shri Mahadeb Bag of Katipota, P.S. Sonarpur, to make orders of detention issued under the Maintenance of Internal Security Act against them ineffective as alleged by Shri Samar Sardar of Canning.

The Commission of Inquiry shall have the powers as provided in sub-sections (2), (3), (4) and (5) of section 5 of the said Act.

The Commission of Inquiry shall submit to the State Government a report embodying its findings in regard to the truth or otherwise of the aforesaid allegations within sixty days from the date of publication of this notification in the *Calcutta Gazette*.

By order of the Governor,

B. R. GUPTA,

Chief Secy. to the Govt. of West Bengal.

No. 983-GAC.—9th July 1974.—Whereas a Commission of Inquiry has been constituted under this Department notification No. 982-GAC, dated the 9th July 1974;

And whereas the Commission of Inquiry consists of Dr. Justice K. N. Wanchoo, retired Chief Justice of the Supreme Court of India;

And whereas the Governor is of opinion that, having regard to the nature of inquiry to be made and other circumstances of the case, the provisions of section 5AA of the Commissions of Inquiry Act, 1952 (60 of 1952), should be made applicable to the said Commission;

Now, therefore, in exercise of the power conferred by section 5AA of the said Commissions of Inquiry Act, 1952, the Governor is pleased hereby to direct that the provisions of the said section 5AA shall apply to the said Commission.

By order of the Governor,

B. R. GUPTA,

Chief Secy. to the Govt. of West Bengal.

No. 986-GAC.—10th July 1974.—The Governor is pleased hereby to appoint Shri N. D. Garg, Secretary, Board of Arbitration (J.C.M.), Ministry of Labour, Government of India, to act, until further orders, as Secretary to the Commission of Inquiry appointed under this Department notification No. 982-GAC, dated the 9th July 1974, concurrently with his appointment under the Government of India.

By order of the Governor,

B. MUKHOPADHYAY,

Spl. Secy. to the Govt. of West Bengal.

No. 987-GAC.—10th July 1974.—The Governor is pleased hereby to appoint Shri V. M. Sharma, Private Secretary to the Chairman, Board of Arbitration (J.C.M.), Ministry of Labour, Government of India, to act, until further orders, as Special Assistant to the Commission of Inquiry appointed under this Department notification No. 982-GAC, dated the 9th July 1974, concurrently with his appointment under the Government of India.

By order of the Governor,

B. MUKHOPADHYAY,

Spl. Secy. to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

Legislative Department

The following Act of Parliament received the assent of the President on the 21st May, 1974, and is hereby published for general information:

THE ESTATE DUTY (DISTRIBUTION) AMENDMENT ACT, 1974

Act No. 21 of 1974

[21st May, 1974.]

An Act further to amend the Estate Duty (Distribution) Act, 1962.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Estate Duty (Distribution) Amendment Act, 1974.

(2) It shall be deemed to have come into force on the 1st day of April, 1974.

Amendment of long title.

9 of 1962.

2. In the long title of the Estate Duty (Distribution) Act, 1962 (hereinafter referred to as the principal Act), for the figures, letters and words "31st day of October, 1968", the figures, letters and words "28th day of October, 1973" shall be substituted.

Amendment of section 3.

3. In section 3 of the principal Act,—

(*i*) in sub-section (*1*),—

(*a*) for the figures, letters and words "1st day of April, 1969", the figures, letters and words "1st day of April, 1974" shall be substituted;

(*b*) for the words "three per cent.", the figures and words "2.5 per cent." shall be substituted;

(*c*) the proviso and the Table below it shall be omitted;

(*ii*) in sub-section (*2*), for clause (*b*) and the proviso occurring at the end of that clause, the following clause shall be substituted namely:—

"(*b*) the balance shall be distributed among the States as follows:—

State			Percentage
Andhra Pradesh	...	...	8.04
Assam	...	...	2.70
Bihar	...	...	10.41
Gujarat	...	...	4.93
Haryana	...	...	1.86
Himachal Pradesh	..	...	0.64
Jammu and Kashmir	...	...	0.85
Karnataka	...	...	5.41
Kerala	...	...	3.94
Madhya Pradesh	...	...	7.70
Maharashtra	...	...	9.31
Manipur	...	...	0.20
Meghalaya	...	...	0.19
Nagaland	...	...	0.10
Orissa	...	...	4.05
Punjab	...	...	2.50
Rajasthan	...	...	4.76
Tamil Nadu	...	...	7.61
Tripura	...	...	0.29
Uttar Pradesh	...	...	16.32
West Bengal	...	...	8.19".

Amendment of section 4.

4. In sub-section (*2*) of section 4 of the principal Act, for the words "or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

K. K. SUNDARAM,

Secy. to the Govt. of India.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

The following Act of Parliament received the assent of the President on the 19th May 1974 and is hereby published for general information:

THE CONSTITUTION (THIRTY-THIRD AMENDMENT) ACT, 1974

[19th May, 1974.]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Thirty-third Amendment) Act, 1974. **Short title.**

2. In article 101 of the Constitution, in clause (*3*),— **Amendment of article 101.**

(*1*) for sub-clause (*b*), the following sub-clause shall be substituted, namely:—

"(*b*) resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, and his resignation is accepted by the Chairman or the Speaker, as the case may be,";

(*2*) the following proviso shall be inserted at the end, namely:—

"Provided that in the case of any resignation referred to in sub-clause (*b*), if from information received or otherwise and after making such inquiry as he thinks fit, the Chairman or the Speaker, as the case may be, is satisfied that such resignation is not voluntary or genuine, he shall not accept such resignation.".

Amendment of article 190.

3. In article 190 of the Constitution, in clause (*3*),—

(*1*) for sub-clause (*b*), the following sub-clause shall be substituted, namely:—

"(*b*) resigns his seat by writing under his hand addressed to the Speaker or the Chairman, as the case may be, and his resignation is accepted by the Speaker or the Chairman, as the case may be,";

(*2*) the following proviso shall be inserted at the end, namely:—

"Provided that in the case of any resignation referred to in sub-clause (*b*), if from information received or otherwise and after making such inquiry as he thinks fit, the Speaker or the Chairman, as the case may be, is satisfied that such resignation is not voluntary or genuine, he shall not accept such resignation.".

K. K. SUNDARAM,
Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

CUTTA. — No. 12698L.A-(II)/6P-6/73.— July 1974. — Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (1 of 1894) in relation to the Acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl.(1), dated 14th May 1955 issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258, of the Constitution of India as S.R.O. 074 and published at page 866, Part II, section 3 of the "Gazette of India", dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for construction of a Telephone Exchange Building and P. & T. staff quarter at Regent Park, Tollygunge, it is hereby notified that a piece of land comprising premises Nos. 154 and 4/1, Netaji Subhas Chandra Bose Road and measuring more or less 1.42275 hectares (3.5 acres) and bounded on the—

North—by Netaji Subhas Chandra Bose Road;

East—by 20 ft. wide road and P. & T. quarters and Government Wireless Station;

South—by 20 ft. wide road;

West—by Netaji Subhas Chandra Bose Road;

is likely to be needed for the aforesaid public purpose at the public expense wthin the Ward No. 98 of the Calcutta Municipality in the City of Calcutta.

This Notification is made under the provisions of section 4 of Act I of 1894, read with the said Notification, to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No. 5, Bankshall Street, Calcutta.

In exercise of the powers conferred by the aforesaid section read with the said Notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to acquisition thereof, may within thirty days after the date on which public notice of the substance of this Notification is given in the locality, file an objection in writing before the First Land Acquisition Collector, Calcutta, at 5, Bankshall Street, Calcutta.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

Land Reforms

NOTIFICATION

No. 12704-L.Ref./20R-9/74.—9th July 1974.—The following amendments which, in exercise of the power conferred by section 34 of the Calcutta Thika Tenancy Act, 1949 (West Ben. Act II of 1949), the Governor proposes to make in the Calcutta Thika Tenancy Rules, 1949, published with this department notification No. 2030-L.Ref. dated the 17th March 1949, in the "Calcutta

Gazette" of the 24th March 1949, as subsequently amended (hereinafter referred to as the said rules), are hereby published, as required by sub-section (1) of the said section for the information of the persons likely to be affected thereby.

2. The draft will be taken into consideration on or after the 9th August 1974, and any objection or suggestion with respect thereto, which may be received by the undersigned before that date shall be considered.

Draft Amendments

In the said rules,—

(i) in rule 21, for the words "rupee one and paise fifty", substitute the words "rupee one and paise eighty";

(ii) in rule 21A, for the words "rupee one and paise fifty", substitute the words "rupee one and paise eighty"; and

(iii) in rule 23, for the words "rupee one and paise fifty", substitute the words "rupee one and paise eighty".

By order of the Governor,
S. MULLICK,
Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 3279/M2A-77/72. — 8th July 1974. — Whereas Government in their Order No. 653/M2A-77/72, dated the 23rd February 1973 published at page 442a of the "Calcutta Gazette, Extraordinary", dated the 23rd February 1973, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), superseding the Commissioners of the Asokenagar-Kalyangarh Municipality in the district of 24-Parganas for a period of one year from the 24th February 1973;

And whereas in Order No. 785/M2A-77/72, dated the 27th March 1974, the said period of supersession was extended up to the 15th July 1974;

And whereas in the opinion of the Governor the extension of the said period of supersession for a further period is necessary;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is hereby pleased to extend further the period of supersession of the Commissioners of the Asokenagar-Kalyangarh Municipality in the district of 24-Parganas up to the 31st March 1975.

2. In exercise of the powers conferred by clause (bb) of sub-section (1) of section 554 of the said Act, and the first proviso to said clause, the Governor is further pleased hereby to direct that the powers and duties referred to in the said clause shall, for this extended period of supersession of the Commissioners of the Asokenagar-Kalyangarh Municipality, be exercised and performed by Shri T. K. Mandal, W.B.C.S., B.D.O., Habra I, in addition to his own duties, until further orders.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 16673-F.S./CON/FS/14R-1/72.—10th July 1974.—Whereas the Governor, having regard to the conditions prevailing in West Bengal, considers it necessary and expedient so to do in the public interest;

Now, therefore, in exercise of the power conferred by paragraph 6 of the West Bengal Prevention of Hoarding of Essential Foodstuffs Order, 1972, the Governor is pleased hereby to exempt, until further orders, all companies registered under the Companies Act, 1956 (Act I of 1956), each of which has its registered office in the State of West Bengal and has the Governor of West Bengal as one of its shareholders and is engaged, among other things, in purchase, storage, processing, movement, transport, distribution and sale of food grains and foodstuffs, from the operation of all the provisions of the said Order.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4266-F.T.—9th July 1974.—In exercise of the power conferred by section 26 of the Bengal Finance (Sales Tax) Act, 1941 (Ben. Act VI of 1941), the Governor is pleased hereby to make, with effect from the 15th July 1974, the following amendment in the Bengal Sales Tax Rules, 1941, as subsequently amended (hereinafter referred to as the said rules), namely:—

Amendment

In the said rules, after rule 3B, insert the following rule, namely:—

"3C. The entry against serial No. 38 of the Schedule II to the Act does not include an ornament, where diamond, stones (real or artificial) and pearls (real, artificial or culture), as the case may be, are wholly supplied by a customer for setting them on such ornament sold to him by a dealer.".

By order of the Governor,
A. K. CHATTERJEE,
Jt. Secy. to the Govt. of West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Govt. Press, Alipore.

Registered No. WB/SC-56 **No. 408(I)**

The Calcutta Gazette

Extraordinary

Published by Authority

ASADHA 19] WED., JULY 10, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATON AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

DECLARATION

BURDWAN.—No. 12808/L.A. (P.W.)/2R-403/68.—10th July 1974.—Whereas the Governor is satisfied that the land is needed for the public purpose namely, for the construction of Kalna-Baidyapur-Jamna Other District Road in the Village of Bhabanandapur, Jurisdiction list No. 155, P.S. Kalna, district Burdwan, it is hereby declared that the pieces of land as described in the schedule below and measuring altogether more or less, 0.0849 hectares (0.20 acre) are needed for the aforesaid public purpose at the public expense within the aforesaid village of Bhabanandapur.

Mines of coal, iron-stone, slate or other minerals lying under the land or any particular portion of the land except only such parts of the mines and minerals as it may be necessary to dig or carry away, or use in the construction of the work for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6 of Act I of 1894, and section 3, clause (1), Act XVIII of 1885 to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisiton Officer, Burdwan.

Schedule of land

Mauza Bhabanandapur, Jurisdiction list No. 155, Police Station Kalna, District Burdwan.

C.S. Plots in part—

Plot Nos.	Specific portion of the plots.		Area in acre.	Area in hectare.
1216	Southern	..	0·075	·0303
1435	Northern	..	0·125	·0546

By order of the Governor,
S. GHOSH,
Spl. officer & Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Govt. Press, Alipore

Registered No. WB/SC-56

No. 409(I) *

The Calcutta Gazette

सत्यमेव जयते

Extraordinary

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ASADHA 20] THURSDAY, JULY 11, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

OFFICE OF THE REGISTRATION OFFICER FOR WEST BENGAL

NOTIFICATION

No. P1013/3474-59(PP).—9th July 1974.—In exercise of the powers conferred by the clause (a) of sub-paragraph 1 of paragraph 3 and clause (a) of sub-paragraph 1 of paragraph 5 of the Foreigners Order, 1948 and in partial modification of the Notification No. 46350/1438/64-For (B), dated 29th December 1964, published in the Extraordinary issue of the *Calcutta Gazette*, dated the 30th December 1964, I, Shri S. Basu, Deputy Inspector-General of Police, Intelligence Branch, West Bengal, who has been appointed to be the Registration Officer, West Bengal, for the purpose of the registration of foreigners under Foreigners Rule, 1939, by Notification No. 8921-PP/S283/60(IV), dated 12th November 1963 and as such a Registration Officer under the Foreigners Order, 1948, for the whole of West Bengal do hereby declare the undermentioned place in West Bengal being a place on the border of India and Bangladesh to be also a place of entry and exit for foreigners generally (in addition to places already notified under Notification No. 24854, dated 18th December 1971, published in the Extraordinary issue of the *Calcutta Gazette*, dated 18th December 1971 and Notification No. P66, dated 18th January 1972, published in the Extraordinary issue of the *Calcutta Gazette*, dated 18th January 1972 and Notification No. P550, dated 5th May 1972, published in the Extraordinary issue of the *Calcutta Gazette*, dated 9th May 1972 and Notification No. P2110, dated 20th October 1973, published in the Extraordinary issue of the *Calcutta Gazette*, dated 20th October 1973 and also Corrigendum No. P129, dated 24th January 1974, published in the Extraordinary issue of the *Calcutta Gazette*, dated 24th January 1974, for the purpose of the said paragraph of the Foreigners Order, 1948.

Name of Place.	District
Lalgolaghat	P.O. Manikchak, District Murshidabad.

S. BASU,
Registration Officer for West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Government Press, Alipore.

Registered No. WB/SC-56 **No. 409A(II)**

The Calcutta Gazette

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Published by Authority

ASADHA 20] THURSDAY, JULY 11, 1974 [SAKA 1896

PART II—Advertisements Notices

GOVERNMENT OF WEST BENGAL

OFFICE OF THE COMMISSIONERS FOR THE PORT OF CALCUTTA

Notice for sale under sections 118 and 119 of the Calcutta Port Act III of 1890

Notice is hereby given under sections 118 and 119 of the Calcutta Port Act III of 1890 and sections 55 and 56 of the Indian Railway Act IX of 1890 that undermentioned goods if not cleared on or before 30th July 1974 on payment of all charges due will be sold by public auction on the 5th and 6th August 1974 at Kantapukur from 10-30 a.m. each day.

Lots will remain open to exhibition for intending buyers between 10-30 a.m. and 2-30 p.m. on the 1st, 2nd and 3rd August 1974. Under no circumstances should any lot be opened to exhibition beyond 3rd August 1974.

Auction will be held at Kantapukur irrespective of location of the lots.

Intending buyers will have to obtain entry permits from the Commissioners' Permit Offices on payment of usual fees each day for entry in the Docks, Jetties and Kantapukur.

Quantity and Description

Lying at 2 KPD

151 bags Spices Leaf (Tezpata), 2 M.T. approx.
Recd. from NR Cg. 15518 U/L on 23-4-73 ex unknown.

52 Pcs. Motor Tyres.
85 Cases
90 Pcs. Spring leaves
} 11 M.T. approx.
Recd. from CR Cg. 2678 U/L on 15-5-73 ex unknown.

Quantity and Description

Lying at 4 KPD

6 bags Mica Waste, 400 Kgs. approx.
Recd. from CR 60192 U/L on 30-10-64 ex unknown.

Lying at 6 KPD

25 Bales Hessian Cloth (damaged by fire)—8 M.T. approx.
Inv. 13/14877 of 22-4-72 ex JBN to KPD stabled at 6 KPD B/Line T/S into PC Cg. 3792 and 1485.

Lying at 10 KPD

10 bags Mica Scrap, 625 Kgs. approx.
Recd. from NR Cg. 26468 U/L on 28-8-70 ex Giridih, Inv. No. 36/1251814 S/out cargo of s. s. Wester Plate-Voy. Aug. '70.
208 Bdls, and 769 Pcs. Timber, 7600 Kgs. approx.
Recd. from WR Cg. 66886 U/L on 6-7-70 ex unknown.

Lying at 11 KPD

278 bags Mica Scrap, 25965 Kgs. approx.
Recd. from NR Cg. 22549 U/L on 6-1-71 ex Giridih, Inv. No. 42/RR. 647882 of 31-12-70.

Lying at 'A' KPD

6 Bales Jute, 1 M.T. approx.
Recd. from WR Cg. 67169 U/L on 4-4-70 ex Sealdah.
3 Pkgs. Armed Chair, 60 Kgs. approx.
Recd. from ER Cg. 22621 U/L on 5-5-70 ex Sealdah. Rly. Mark—NDLS 1034/3 GRC.
309 bags Rice Bran, 20 M.T. approx.
Recd. from NR Cg. 27335 U/L on 9-11-70 ex unknown

Quantity and Description

Lying at 'A' KPD

1 case pipe, Flange etc., 150 Kgs. approx.
Recd. from PE 12841 U/L on 7-5-71 ex CP.
31 Pcs. Pig Iron (broken), 1 M.T. approx.
Recd. from SE 33629 U/L on 16-9-69 ex Burdwan, Inv. No. 1/79006 of 29-9-69.

197 bags Coke, 10 M.T. approx.
Recd. from SR Cg. 24433 U/L on 27-4-64 ex DLO.
10 bags Sal seeds, 500 Kgs. approx.
Recd. from SR Cg. 25510 U/L on 16-12-71 ex SHM.

300 Bdls, and A loose qty. of Timber, 15 M.T. approx.
Recd. from ER Cg. 37981 U/L on 10-6-71 ex JBN.
240 Bdls, and A loose qty. of Timber, 15 M.T. approx.
Recd. from CR Cg. 29144 U/L on 10-6-71 ex unknown.

160 Bdls. and A loose qty. of Timber, 15 M.T. approx.
Recd. from ER Cg. 17767 U/L on 11-6-71 ex JBN.

185 Bdls. and A loose qty. of Timber, 15 M.T approx.
Recd. from ER Cg. 62379 U/L on 12-6-71 ex unknown.
450 Bdls. and A loose qty. of Timber, 15 M.T. approx.
Recd. from ER Cg. 56519 U/L on 18-6-71 ex unknown.

750 Bdls. and A loose qty. of Timber, 30 M.T. approx.
Recd. from WR 77424 U/L on 18-6-71 ex unknown.
400 Bdls. and A loose qty. of Timber, 15 M.T. approx.
Recd. from ER 2397 U/L on 19-6-71 ex unknown.
280 Bdls. and A loose qty. of Timber, 15 M.T. approx.
Recd. from SR Cg. 15471 U/L on 19-6-71 ex unknown.

255 Bdls. and A loose qty. of Timber, 15 M.T. approx.
Recd. from NR Cg. 17181 U/L on 13-7-71 ex unknown.
374 Bdls, and A loose qty. of Timber, 15 M.T. approx.
Recd. from ER Cg. 49761 U/L on 22-6-71 ex JBN.

145 Bdls. and A loose qty. of Timber, 15 M.T. approx.
Recd. from NR Cg. 19869 U/L on 30-6-71 ex JBN.
799 Pcs. Sal Timber 18 M.T. (approx.)
Recd. from ER Cg. 21488 U/L on 25-2-72 ex Kosinga.

A Qty. Sal Plank, 15 M.T. approx.
Recd. from WR 56542 U/L on 7-11-69 ex JBN.
A Qty. Sal Plank, 15 M.T. approx.
Recd. from SE 34809 U/L on 20-10-69 ex JBN.

A Qty. Sal Plank, 15 M.T. approx.
Recd. from ER 18816 U/L on 20-10-69 ex JBN.
A Qty. Sal Plank, 15 M.T. approx.
Recd. from CR 22693 U/L on 6-9-69.

3 Pcs. Sal Sleepers, 1 M.T. approx.
Recd. from ER 81852 T/S from wagon No. NR 3057 U/L on 5-2-72. Inv. 15/026630 of 9-2-71 ex Pandu.
2 bags Mica Scrap, 100 Kgs. approx.
Recd. from NR Cg. 29847 U/L 21-2-72 ex Sealdah.

40 bags Urea, 2 M.T. approx.
Recd. from CR Cg. 58230 U/L on 23-2-72 ex CP.
140 Empty Drums, 5 M.T. approx.
Recd. from CR Cg. 23417 U/L on 20-3-72 ex unknown.
4 bags Stone, 700 Kgs. approx.
Recd. from NR Cg. 25160 U/L on 24-3-72 ex Paresh-nath, Inv. 4/482303 of 20-2-72.

1 Bale Jute, 200 Kgs. approx
Recd. from CR Cg. 10557 U/L on 6-5-72.

2 Pcs. Small Iron, 50 Kgs. approx.
Recd. from SR Cg. 19219 U/L on 8-8-72.
2208 Pcs. Empty Cans, 2 M.T. approx
Recd. from SR 24275 U/L on 6-4-71.

40 Bdls, Shooks, 3 M.T. approx.
Recd. from CR Cg. 29365 U/L on 18-10-72 ex CP.

Quantity and Description

Lying at 'A' KPD

1 Drum Oil, 500 Kgs. approx.
Recd. from NR Cg. 10475 U/L on 30-12-72 ex CP.

37 Cases Plastic Container, 5 Qtls. approx.
Recd. from WR Cg. 27318 U/L on 1-2-73 ex CP.

304 Bdls, and A loose qty. of Crushed Sugar Cane, 15 M.T. approx.
Recd. from SE Cg. 35678 U/L on 10-5-73 ex unknown.

28 Bales Crude Drugs, 22 Qtls. approx.
Recd. from ER Cg. 1740 U/L on 11-5-73 ex unknown.

6 Pcs. Sleepers, 6 Qtls. approx.
Recd. from WR Cg. 62233 U/L on 17-5-73 ex CP.

Lying at 'B' KPD

62 Bales Jute, 11 M.T. (approx.)
Recd. from ER Cg. 96669 U/L on 20-7-72 T/S from wagon No. WR 60388 at GHZ ex JBN.

1 Bale Jute cuttings, 125 Kgs. approx.
Recd. from PC Cg. 3518 U/L on 28-2-67 originally recd. from CR 24793 and lying unconnected.

1 Bale Jute (burst), 100 Kgs. approx.
Recd. from PC Cg. 1427 U/L on 26-6-70 ex 12 KPD originally recd. from SE 37268 T/S from 44221 U/L 12 KPD on 5-8-69.

5 Bales Jute (loose and burst), 700 Kgs. approx.
Recd. from PC 3187 U/L on 25-3-70 ex 12 KPD S/out cargo of s.s. 'Inchona' Voy. March '70. Originally recd. from ER Cg. 17879 U/L on 14-3-70 at A KPD ex JBN.

43 Bales Jute (burst), 5 M.T. approx.
Recd. from Cr Cg. 24148 U/L on 7-6-70. ex Beharigunj.

Lying at HRWH

1 Bale Jute, 80 Kgs. approx.
Recd. from SR 9248 U/L on 7-2-70 ex DMR.

Lying at Oudh North

1 Wagon Ore, 20 M.T. approx.
Recd. from NR KC 53393 U/L on 3-8-71 ex-MDW.

1 Wagon Stone, 20 M.T. approx.
Recd. from PE Cg. 12713 U/L on 29-12-71.

1 Wagon Lime Stone, 20 M.T. approx.
Recd. from SE BKC 66235 U/L on 29-4-73.

1 Wagon Lime Stone, 20 M.T. approx.
Recd. from WR BKC 71485 U/L on 29-4-73.

1 Wagon Lime Stone, 20 M.T. approx.
Recd. from NR BKC 84295 U/L on 8-5-73.

Lying at 2 NSD

419 Bdls. Timber, 170 Qtls. approx.
Recd. from ER 22526 U/L on 13-6-71 ex JBN Inv. 2 of 24-5-71.

419 Bdls. Timber, 170 Qtls. approx.
Recd. from ER Cg. 10804 U/L on 13-6-71 ex JBN Inv. No. 2 of 24-5-71.

551 Bdls. Timber, 195 Qtls. approx.
Recd. from NR Cg. 8859 U/L on 21-6-71 ex JBN Inv. No. 133 of 20-5-71.

Quantity and Description

Lying at 3 NSD

2 Pcs. Steel Billet, 1500 Kgs. approx.
Recd. from ER 94791 U/L on 8-11-72.

Lying at A NSD

13 bags Mica Scrap, 650 Kgs. approx.
Recd. from NR 62565 U/L on 6-11-68 ex KQR S/out cargo of s.s. S/o Punjab Voy. Nov. '68.

Lying at 2 GRJ

4 Bales Jute Cuttings (loose), 7 Qtls. approx.
Recd. from CR Cg. 26136 U/L on 28-6-70 ex JBN.

1 Bale H/Cloth, 4 Qtls. approx.
Recd. from WR Cg. 29957 U/L on 26-8-71 ex JBN Inv. No. 171 of 7-7-71.

1 Bale H/Cloth, 6 Qtls. approx.
Recd. from SE Cg. 35580 U/L on 4-7-72 ex JBN.

62 Bales Jute Cuttings (loose and burst), 11 M.T. approx.
Recd. from WR Cg. 56261 U/L on 25-11-72 ex FBG Ivn. 18 of 18-5-72.

A Qty. loose Jute, 10 M.T. approx.
Recd. from ER Cg. 18315 U/L on 4-11-72.

4 Bales H/Cloth, 2 M.T. approx.
Recd. from PE Cg. 23651 U/L on 27-3-73 ex JBN.

12 Bales New Gunny, 4 M.T. approx.
Recd. from ER Cg. 5292 U/L on 11-11-72 ex JBN, Inv. 499 of 30-8-72.

25 Bales New Gunny, 110 Qtls. approx.
Recd. from SR Cg. 7318 U/L on 3-5-72 ex JBN Inv. 14-A14879 of 23-4-72.

5 Bales New Gunny bags, 2M.T. (approx.)
Recd. from CR Cg. 24536 U/L on 20-7-72 ex JBN Inv. 344 of 9-7-72.

1 Bale New Gunny (burst), 3·30 M.T. approx.
Recd. from ER BCX 68805 U/L on 5-3-72 ex JBN.

7 Bales New Gunny bags, 3 M.T. approx.
Recd. from ER Cg. 6123 U/L on 15-9-72 ex JBN Inv. No. 168 of 31-8-72.

Lying at 'W' Shed, KF

34 bags sugar, 120 Kgs. approx.
Recd. from NR 32232 U/L on 20-1-70 ex RKL.

1 bag sugar, 80 Kgs. approx. (Gross)
Recd. from PE 12571 U/L on 2-8-71 ex Mairwa. Inv. 66/369935 of 23-7-71.

2 bags sugar, 180 Kgs. Gross (approx.)
Recd. from WR 62671 U/L on 14-10-71 ex Cuddelore Jn.

4 bags sugar, 380 Kgs. Gross (approx.)
Recd. from Wgn. No. ER 19986 U/L on 6-1-72 at T shed, KF. Removed to 'W' Shed on 8-1-72.

1 bag sugar, 96 Kgs. Gross approx.
Recd. from WR 26772 U/L on 15-1-72 at T shed, KF. Removed to 'W' shed on 1-2-72.

Quantity and Description

Lying at 'W' Shed, KF

1 bag sugar, 95 Kgs. Gross (approx.)
Recd. from WR 63719 ex Pennadam.. Removed from 'Y' Shed to 'W' Shed, KF by PC H/Cart on 2-9-72.

1 bag sugar, 70 Kgs. Gross (approx.)
Recd. from CR 55398 U/L on 26-3-72 ex unknown.

1 bag sugar, 28 Kgs. Gross (approx.)
Recd. from NR 10327 U/L on 27-12-71 at AKPD and removed to 'W' Shed by PC No. 3620.

1 bag sugar, 95 Kgs. Gross (approx.)
Recd. from CR 67437 U/L on 6-5-73 ex Tomkuhi Rd.

119 bags sugar, 9816·4 Kgs. Gross (approx.)
Recd. from NR 31035 U/L on 7-5-73 ex Balarampur, Inv. 1 of 11-4-73.

150 bags sugar, 14370·4 Kgs. Gross (approx.)
Recd. from SE 75200 U/L on 7-5-73 ex Balarampur, Inv. 1 of 11-4-73.

2 bags sugar, 190 Kgs. Gross (approx.)
Recd. from ER 84809 U/L on 8-3-72 ex Sidhwalia.

1 bag sugar, 101·2 Kgs. Gross (approx.)
Recd. from NR 2769 U/L on 8-4-73 ex unknown.

A Qty. of empty sugar bags, 42Kgs. (approx.) Rebundled into one Bundle.
Recd. from NR 67222 U/L on 22-3-72 ex Bijnore.

Lying at LAMBDA Shed, KF.

16 bags Mica Scrap, 1200 Kgs. (approx.)
Recd. from WR Cg. 17379 U/L on 3-4-71 ex Giridih, RR. No. 88/647913 of 18-3-71.

1 bag damaged sugar, 45 Kgs. approx.
Recd. from PC H/Cart on 25-3-72, originally recd. from SE 39138 U/L on 30-10-70 at Iota Shed, KF.

1 bag Tobacco, 60 Kgs. (approx.)
Recd. from NR 67372 U/L on 25-5-68 ex Vijapur, Inv. 1/508312 of 29-11-67.

Lying at 'G' Shed, KF

281 bags Fertilizer, 20 M.T. approx.
Recd. from SE 35497 U/L on 22-11-71.

Lying at Sigma Shed, KF.

199 bags Soda Ash, 13,000 Kgs. (approx.)
Recd. from NR 36688 U/L on 15-3-73 ex unknown.

Lying at Beta Shed, KF.

113 bags Moog Chuni, 5 M.T. approx.
Recd. from ER 78846 U/L on 30-5-70 ex unknown, Inv. 1 of 1-4-70.

20 Pcs. G. I. Pipes, 715 Kgs. approx.
Recd. from NR 55826 U/L on 30-9-72 ex Kundra.

19 bags Mica Scrap, 950 Kgs. approx.
Recd. from NR 9300 U/L on 7-3-73.

Quantity and Description

Lying at Zeta Dump, KF.

A Qty. of Soap stone, 200 Kgs. (approx.)
Recd. from CR 52303 U/L on 11-3-73 ex Chaibasa, Inv. 24 RRA 122724 of 26-2-73.
A Qty. of soap stone, 1 M.T. approx.
Recd. from ER 24050 U/L on 11-3-73 ex Chaibasa, Inv. 23 RRA 122723 of 26-2-73.
1 Wagon Wood, 40 M.T. approx.
Recd. from WR 72069 U/L on 16-5-73.

D. K. GUHA,
Traffic Manager,
Calcutta Port Commissioners.

Notice for sale under sections 118 and 119 of the Calcutta Port Act III of 1890

Notice is hereby given under sections 118 and 119 of the Calcutta Port Act III of 1890 that the under mentioned goods if not cleared on or before 30th July 1974 on payment of all charges due will be sold by public auction on the 5th and 6th August 1974 at Kantapukur from 10-30 a.m. each day.

Lots will remain open to exhibition for intending buyers between 10-30 a.m. and 2-30 p.m on the 1st 2nd and 3rd August 1974. Under no circumstances should any lot be opened to exhibition beyond 3rd August, 1974.

Auction will be held at Kantapukur irrespective of location of the lots.

Intending buyers will have to obtain entry permits from the Commissioners' Permit Offices on payment of usual fees each day for entry in the Docks, Jetties and Kantapukur.

Quantity and Description

Lying at 1 KPD

1 Cartoon battery (broken), 2 Kgs. approx.
S/out cargo of s.s. Thomas Everett voy. April '72.

Lying at 4 KPD

4 Pcs. G.I. Pipes, 5 Kgs. approx.
Recd. from PC Cg. 3535 U/L on 16-7-70.
1 Pc. Alluminium Ingot, 20 Kgs. approx.
Recd. on 4-10-68 ex Renukoot.

Lying at 6 KPD

6 Bdls, Paper, 1092 Kgs. approx.
S/out cargo of s.s. Htantawaywa-voy. June '70.

Lying at A KPD

A quantity loose timber, 4 M.T. approx.
Recd. from PC Cg. 3224 U/L on 27-10-71 ex TAU, KF
A quantity Plank, 3·5 M.T. approx.
Recd. from PC Hn 3880 U/L on 13-6-69 ex Chetla.
A quantity Plank, 3 M.T. approx.
Recd. from PC 3878 U/L on 13-6-69 ex Chetla.

Quantity and Description

Lying at A KPD

A loose quantity of Mica, 3 M.T. approx.
Recd. from PC Cg. 3816 U/L on 28-8-71 ex 11 KPD. S/out cargo of s.s. ONDANOA voy. Nov. '70.
125 bags and A loose quantity of Mica, 8 M.T. approx.
Recd. from PC Cg. 3454 U/L on 28-8-71 ex 11 KPD. S/out cargo of s.s ONDANOA voy. Nov. '70.
3 Pcs. Timber, 10 Kgs. approx.
Recd. from PC 1860 U/L on 29-8-72 ex New Rly. Stores sdg.
331 bags White Powder. 40 bags sweeping powder. 371 bags, 18 M.T. approx.
Recd. from PC Cg. 3714 U/L on 24-2-73 ex unknown.

Lying at B KPD

2 Bales Jute, 200 Kgs. approx.
Recd. from PC Cg. 561 U/L on 17-8-68 ex 1 KPD as unconnected.
2 Bales Jute, 200 Kgs. approx.
Recd. from PC Cg. 1166 U/L on 23-3-69 ex 11 KPD.
11 Bales Jute cuttings, 2 M. T. approx.
Recd. from PC Cg. 1361 U/L on 31-3-69 ex 5/7 KPD.
1 Bale Jute, 100 Kgs. approx.
Recd. from PC 1080 U/L on 6-1-70 ex 6 KPD as unconnected.
1 Bale Jute (burst), 125 Kgs. approx.
Recd. from PC Truck on 27-5-70 ex 4 KPD u/c excess.
4 Bales Jute (partly loose and burst), 560 Kgs. approx.
Recd. from PC Cg. 3606 U/L on 5-6-70 ex 10 KPD.
1 Bale Jute (loose and burst), 125 Kgs. approx.
Recd. from PC H/Cart on 12-1-70 ex 10 KPD.
A Qty. loose jute (said to be 1 Bale), 50 Kgs. approx
Recd. from PC Cg. 3190 U/L on 14-12-70 ex 2 KPD
8 Bales Jute, 1000 Kgs. approx.
4 Bales Jute Cuttings, 500 Kgs. approx.
Recd. from PC Cg. 3492 U/L on 24-9-70 ex 2 KPD.
1 Bale Jute (burst), 100 Kgs. approx.
Recd. from PC Cg. 1088 U/L on 27-8-70 ex 2GRJ.
3 Bales Jute, 300 Kgs. approx.
Recd. from PC Cg. 3810 U/L on 9-7-70 ex D KGD.
25 Bales Jute (loose and burst), 2700 Kgs. approx.
Recd. from PC 1351 U/L on 10-4-71 ex Hooghly Jute Mills.
25 Bales Jute (loose and burst), 2600 Kgs. approx
Recd. from PC 3699 U/L on 20-4-71.
6 Bales Jute (loose), 1000 Kgs. approx.
Recd. from PC 3726 U/L on 1-10-71 ex TAU, KF.
50 Bales Jute (loose and burst), 5 M. T. approx
Recd. from PC Cg. 1906 U/L on 5-4-72 ex 5/7 KPD
S/out of s.s. Narendra Laxmi Voy. May '72.
53 Bales Jute (loose and burst), 5 M.T. approx.
Recd. from PC 3829 U/L on 5-4-72 ex 5/7 KPD.
S/out of s.s. "Narendra Laxmi" Voy. May '72.
41 Bales Jute (loose and burst), 4 M.T. approx.
Recd. from PC Cg. 1037 U/L on 6-4-72 ex 5/7 KPD.
S/out of s.s. "Narendra Laxmi" Voy. May '72.
6 Bales Jute (loose and burst), 800 Kgs. approx.

Quantity and Description

Lying at 'B' KPD

Recd. from PC 3711 U/L on 14-4-72 ex 5/7 KPD.
S/out of s.s. "Narendra Laxmi" Voy. May 72.
52 Bales Jute (loose and burst), 5 M.T. approx.
Recd. from PC Cg. 1180 U/L on 14-4-72 ex 5/7 KPD
S/out of s.s. "Narendra Laxmi" Voy. May 72.
47 Bales Jute (loose and burst), 5 M. T. approx.
Recd. from P.C. 3450 U/L on 21-12-72 ex 6 KPD
A Quantity loose Jute sweepings, 200 Kgs. approx.
Recd. from P.C. 1081 U/L on 3-1-73 ex 3 KPD
10 Bales Jute (loose and burst), 1300 Kgs. approx.
Recd. from PC 3546 U/L on 21-12-72 ex 6 KPD
1 Bale Jute (loose and burst), 100 Kgs. approx.
Recd. from PC 3674 U/L on 3-1-73 ex 6 KPD.
31 Bdls. Jute sweepings, 2400 Kgs. approx.
Recd. from PC Nos 1290, 1346 and 3567 U/L on 3-1-73 ex 5/7 KPD.

Lying at 22 KPD

3 Pcs. Alluminium Ingot, 66 Kgs. approx.
Recd. from PC Cg. 3173 U/L on 6-8-69.
S/out of s.s. "Loveen" Voy. Aug. 69

Lying at 24 KPD

1 Bag Shellac, 60 Kgs. approx.
S/out of s.s. "Avon Bank" Voy. Feb. 71.

Lying at 25 KPD

1 Bdle. C. I. Pipe, 580 Kgs. approx.
S/out cargo of s.s. "Jaldhanya" Voy. March 71. D/C No. 70.
1 Crate C. I. Manhole Cover, 547 Kgs. approx.
S/out of s.s. "Hazel Bank" Voy. Aug. 72, D/C No. 21.

Lying at 26 Dump

20 Pcs. C. I. Pipes, 2. M. T. approx.
S/out cargo of s.s. "V. Shakti" Voy. March 72. U/L from Trailor No. HTLSA on 6-1-73 ex 25 KPD.

Lying at 1 NSD

1 Crate C. I. Rain Water Pipes 562 Kgs. approx.
S/out cargo s.s. "Vishvanayak" Voy. Oct. 72, D/C No. 12 of 24-10-72.
1 Crate C. I. Soil Pipe, 662 Kgs. approx.
S/out cargo of s.s. "Vishvanayak" Voy. Oct. 72, D/C No. 16 of 27-10-72.
1 Crate C. I. Soil Pipe, 610 Kgs. approx.
S/out cargo of s s. "Vishva Dharma" Voy. March 73, D/C No. 18 of 28-3-73.
2 bags Indian Sal Seeds extraction, 73 Kgs. approx.
S/out cargo of s.s "Miasa Maru" Voy. July 73, D/C No. 6 of 3-7-73.

Lying at 2 NSD

3 Pkgs. C. I. Pipe Fittings 1200 Kgs. approx.
S/out cargo of s.s. "Vishva Vandana" Voy. January 72, S/out Advice No. 89/2 KGD of 1-1-72.

Quantity and Description

Lying at 2 GRJ

5 Bales Jute cuttings (loose), 8 Qtls. approx.
Recd. from PC Cg. 1080 U/L on 8-1-70 ex 6 KPD.
30 Bales Jute cuttings, 5 M.T. approx.
Recd. from PC Cg. 1945 U/L on 3-11-69 ex A KGD.
24 Bales Jute cuttings (loose), 4 M. T. approx.
Recd. from PC 1387 U/L on 4-11-68.
14 Bales Jute cuttings (loose), 3 M T. approx
Recd. from PC Cg. 3695 U/L on 11-4-72 ex 5/7 KPD.
S/out cargo of s.s. "Narendra Laxmi" Voy. May 72.
52 Bales Jute cuttings, 10 M. T. approx.
Recd. from PC 3842 U/L on 11-4-72 ex 5/7 KPD.
S/out cargo of s.s. "Narendra Laxmi" Voy. May 72.
30 Bales Jute cuttings (15 Bales burst), 6 M. T. approx.
Recd. from PCCg. 1153 U/L on 9-4-72 ex 5/7 KPD.
S/out cargo of s.s. "Narendra Laxmi" Voy. May 72.
21 Bales Jute thread waste (loose and burst), 1 M.T. approx.
Recd. from PC Cg. 1175 U/L on 18-12-72 ex 4 KPD.

Lying at RHO Shed. KF

A Qty. of Scrap Fencing and hoop Iron 15000 Kgs approx.
Recd. from SE BAKC a/c. PC 68691 U/L on 20-4-73 ex 26 Dump.
A Qty. of Hoop Iron, 2500 Kgs. approx.
Recd. from PC HS 3911 U/L on 20-4-73 ex 25 KPD.

Lying at Beta Shed. KF

A Qty. of broken C. I. Pipes, (Said to be one Bdle.) 540 Kgs. approx.
Recd. from PC 3323 U/L on 19-4-73 ex 10 KPD.
S/out cargo of s.s. "Viswa Prativa," Voy. May '71.

Lying at Zeta Dump. KF

A Qty. of broken Spun Pipes, 2 M T. approx.
Recd. from PC 3262 U/L on 25-4-73 ex 6 KPD.
3 Pcs. Spun Pipes, 3 M. T. (approx.)
Recd. from PC 3260 U/L on 4-4-73 ex 6 KPD. S/out cargo of s.s. M. V. "Nicobar," Voy. Aug. '71.
A Qty. of Iron Parts (Old), 5 M.T. (approx.).
Recd. from PC 3306 U/L on 17-4-71 ex 4 GRJ.
1 Wagon Stone Chips, 10 M T. approx.
Recd. from PC 3378 U/L on 27-11-73.

Lying at 'G' shed. KF

1 Bag Mica Scrap, 10 Kgs. approx.
S/out cargo of s.s. "Jalajawahar" Voy. Aug. 72.

Lying at LMD Shed KF

145 Empty Gunny bags 165 Kgs. approx
20 Pcs. Empty Gunny bags 165 Kgs. approx.
Recd. from PC Lorry on 9-7-70.
10 Pcs. Pig Iron (Broken), 250 Kgs approx.
Recd. from PC Lorry on 9-7-70.
1 Bag Wood Pulp, 100 Kgs. approx.
Recd. from PC 3159 U/L on 26-12-72 ex A KGD.
A Qty. of Jute cuttings, 1500 Kgs. approx.
Recd. from PC 1163 U/L on 19-9-72 ex 8 KPD.
1 Case Battery, 10 Kgs. approx.
Recd. from PC 3744 U/L on 27-6-72 ex 8 KPD.
S/out cargo of s s. "Maldive Explorer," Voy. Feb. 70.
92 Bundles and a loose quantity of torn blankets, 10 M. T. approx.
Recd. from PC 1943 U/L on 10-7-71 ex 5/7 KPD.

Quantity and Description

Lying at H Shed, Kantapukur

142 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3735 U/L on 6-5-72 ex E Shed, KF.
133 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 1222 U/L on 12-5-72 ex E Shed, KF.
252 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3558 U/L on 12-5-72 ex E Shed, KF
225 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 1893 U/L on 22-5-72 ex LBN.
206 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3175 U/L on 27-5-72 ex HRWH.
251 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3616 U/L on 2-6 72 ex TWA.
250 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3189 U/L on 2-6-72 ex TWA.
286 empty tea chests (broken), 5 Kg. each approx.
Recd from PC 3708 U/L on 2-6-72 ex TWA.
227 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3739 U/L on 24-7-72 ex HRWH.
48 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3699 U/L on 6-9-72 ex X Shed, KF.
148 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3150 U/L on 18-10-72 ex HRWH.
99 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 1887 U/L on 29-4-72 ex LBN.
244 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3614 U/L on 22-8-72 ex LBN.
136 Bundles unserviceable gunny bags (25 Pcs. each), 3400 Kgs. approx.
Recd. from PC H/Cart on 9-1-73, 12-1-73, 15-1-37 and 21-1-73.
148 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3667 U/L on 10-2-73.
116 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3688 U/L on 19-2-73.
143 empty tea chests (broken), 5 Kg each approx.
Recd. from PC 3227 U/L on 1-3-73 ex E Shed, KF
40 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 1068 U/L on 24-4-73 ex HRWH.
97 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3618 U/L on 6-7-73 ex TWH.
212 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 3516 U/L on 6-7-73 ex TWH.
182 empty tea chests (broken), 5 Kg. each approx.
Recd. from PC 1250 U/L on 6-7-73.

Lying at 1 KPD as unconnected

5 Drums Essential Oil, 150 Kgs. approx.

Lying at 2 KPD as unconnected

1 Case M/Dise, 300 Kgs. approx.
1 Case M/Dise, 50 Kgs. approx.

Lying at 4 KPD as unconnected

1 Pc. Tyre, 30 Kgs. approx.
1 Bag Cycle Tube, 5 Kgs. approx.
A Qty. Elec. Welding Rods, 30 Kgs. approx.
1 Pc. Alluminium Ingot, 20 Kgs. approx.
5 Carton (30 Pcs.) Air Filter, 25 Kgs. approx.

Lying at 5/7 KPD as unconnected

1 Case Personal Effect, 120 Kgs., approx.
6 Pcs. Planks, 154 Kgs. approx.
1 Pc. Planks, 8 Kgs. approx.

Quantity and Description

Lying at 5/7 KPD as unconnected

2 Bags Rubber, 200 Kgs. approx.
24 Pcs. Alluminium Ingot, 517 Kgs. approx.
1 Pkg. M-Disc, 1 M. T. approx.

Lying at 9 KPD as unconnected

1 Bag Motor Tube (Dunlop), 20 Kgs approx.
1 Bag Belt, 10 Kgs. approx.
6 Pcs. C. I. Pans, 8 Kgs. approx.
1 Case Fan Regulator, 20 Kgs. approx.

Lying at 'B' KPD as unconnected

A Qty. loose Jute, 300 Kgs. approx.
10 Bales Jute, 1200 Kgs. approx.
A Qty. loose Jute 200 Kgs. approx.
A Qty. loose Jute (dirty), 2 M. T. approx.

Lying at 22 KPD as unconnected

5 Empty Cylinders, 150 Kgs. approx.
2 Bdls. Cotton, 50 Kgs. approx.
4 Pcs. Wooden Wheel, 1 M. T. approx.
2 Bags Mica Scrap (sweepings), 50 Kgs. approx.

Lying at 23 KPD

2 Pcs. Iron Scrap, 40 Kgs. approx.
MK No. 385-70.
1 Hand Truck with 4 Pcs. Pig Iron, 40 Kgs. approx.
MK No. 161/70.
5 Pcs. Pig Iron, 25 Kgs. approx.
MK No. 630/70.
1 Bdle. Gunny bags, 5 Kgs. approx.
MK No. 474/70.
1 Empty Gunny bag 1 Kg. approx.
MK No. 449/70.
3 Empty Gunny bags, 3 Kgs. approx.
MK No. 487/70.
2 Empty Gunny bags, 2 Kgs. approx.
MK No. 492/70.
1 Pc. Rug-1 Kg. approx.
MK No. 482/70.
7 Pcs. Plywood, 50 Grams approx.
MK No. 579/70.
16 Empty Gunny bags, 16 Kgs. approx.
MK No. 484/70.
30 Pcs. Empty Gunny bags, 30 Kgs. approx.
MK No. 666/70.
Some broken loose Iron, 2 Kgs. approx.
MK No. 240/71.

Lying at 23 KPD

10 Yds. Copper Wire, 2 Kgs. approx.
MK No. 256/71.
2 Pcs. Old Iron Rods, 5 Kgs. approx.
MK No. 268/71.
{ 2 Pcs. Hackshaw without blade, 22 Kgs. approx.
4 Pcs. Iron Scrap.
1 Pc. Jack.
MK No. 515/71.
61 Pcs. Empty Gunny bags, 61 Kgs. approx.

Unconnected.

3 Pcs. Old Empty Gunny bags, 3 Kgs. approx.
MK No. 120/71.
7 Pcs. Old empty gunny bags, 7 Kgs. approx.
MK No. 135/71.
5 Pcs. old empty gunny bags, 5 Kgs. approx.
MK No. 150/71.

Quantity and Description

Lying at 23 KPD

44 Pcs. Old empty gunny bags, 44 Kgs. approx.
MK No. 182/71.

5 Pcs. Old empty gunny bags, 5 Kgs. approx.
Mk No. 154/71.

1 Empty Gunny bag, 1 Kg. approx.
MK No. 139/71.

2 Empty Gunny bags, 2 Kgs. approx.
MK No. 131/71.

10 Empty Gunny bags, 10 Kgs. approx.
MK No. 130/71.

2 Empty gunny bags, 2 Kgs. approx.
MK No. 227/71.

12 Empty gunny bags, 12 Kgs. approx.
MK No. 216/71.

24 Empty gunny bags, 24 Kgs. approx.
MK No. 226/71.

3 Empty gunny bags, 3 Kgs. approx.
MK No. 253/71.

1 Empty gunny bag, 1 Kg. approx.
MK No. 198/71.

3 Pcs. Old Gunny, 3 Kgs. approx.
MK No. 331/71.

4 Pcs. Old Gunny, 4 Kgs. approx.
MK No. 218/71.

10 Pcs. Old Empty Gunny, 10 Kgs. approx.
MK No. 332/71.

10 Pcs. Old Empty Gunny, 10 Kgs. approx.
MK No. 352/71.

24 Pcs. Empty Gunny, 24 Kgs. approx.
MK No. 556/71.

3 Pcs. Gunnies, 3 Kgs. approx.
MK No. 52/72.

27 Pcs. Empty Gunny, 27 Kgs. approx.
MK No. 56/72.

4 Pcs. Empty Gunny, 4 Kgs. approx.
MK No. 57/72.

5 Pcs. Empty Gunny, 5 Kgs. approx.
MK No. 44/72.

28 Pcs. Empty Gunny, 28 Kgs. approx.
MK No. 43/72.

1 Pc. Pig Lead, 20 Kgs. approx.
MK No. 613/72.

1 Pc. Alluminium Ingot, 25 Kgs. approx.
MK No. 814/72.

1 Pc. Machinery Metal Rings, 20 Kgs. approx.
MK No. 557/72.

7 Pcs. Timber, 15 Kgs. approx.
MK No. 94/71.

A Quantity of Alluminium Wire, 8 Kgs. approx.
MK No. 313/71.

16 Pcs. Empty Gunny, 16 Kgs. approx.
MK No. 46/72.

28 Pcs. Empty Gunny, 28 Kgs. approx.
MK No. 48/72.

25 Pcs. Old Gunny, 25 Kgs. approx.
MK No. 1204/71.

16 Empty Gunny, 16 Kgs. approx.
Unconnected.

2 Pcs. torn Canvas, 10 Kgs. approx.
MK No. 63/72.

1 Pcs. Battery Old No. 4, 10 Kgs. approx.
MK No. 199/71.

Quantity and Description

Lying at 23 KPD

1 Pc. Old tyre and 1 old broken Bycle, 70 Kgs. approx.
MK No. 23A.

4 Pcs. broken Pig Iron, 8 Kgs. approx.
MK No. 168/71.

1 Pc. Iron Pipe, 5 Kgs. approx.
MK No. 172/71.

1 Pc. Old Iron Rod, 2 Kgs. approx.
MK No. 174/71.

2 Pcs. Old Iron Rod, 6 Kgs. approx.
MK No. 184/71.

21 Pcs. Wheel, 2 Kgs. approx.
MK No. 133/71.

Some Iron sweepings, 10 Kgs. approx
MK No. 301/71.

Some Scrap Iron, 2 Kgs. approx.
MK No. 195/71.

2 Empty Drums, 10 Kgs. approx.
MK No. 374/70.

A quantity of Metal Scrap, 15 Kgs. approx.
MK No. 27/72.

1 Pc. Iron, 15 Kgs. approx.
MK No. 39/72.

Some Copper Scrap, 39 Kgs. approx.
MK No. 55/72.

8 Pcs. Pig Iron, 20 Kgs. approx.
MK No. 480/72.

8 Pcs. Pig Iron (broken), 10 Kgs. approx.
Unconnected.

7 Bdls. Cycle Tyre, 40 Kgs. approx.
MK No. 304/70.

36 Pcs. Rims, 75 Kgs. approx.
Unconnected.

1 Pc. Good Year Tyre with tube, 60 Kgs. approx.
MK No. 879/71.

90 Pkgs. sewing Machine Needle, 500 Grams approx.
MK No. 6/72.

Lying unconnected at R shed (Sweeping)

19 tins Glaxo, 10 Kgs. nett.

75 bags Sugar sweepings, 3334 Kgs. gross (approx.)

14 bags sugar sweepings, 281 Kgs. gorss (approx.)

2 bags sugar, 39·5 Kgs. gross (approx.)

1 bag sugar sweeping, 56 Kgs. (approx.)

2 broken cases contg. brittles.

1 bag Manure sweeping, 30 Kgs. gross (approx.)

1 bag Lime sweeping, 8 Kgs. gross (approx.)

4 bags Tishi sweeping, 80 Kgs. (approx.)

2 Packets Mustard seed sweeping, 11Kgs. approx.

7 bags Dal sweeping, 498 Kgs. gross (approx.)

6 bags Gram sweeping, 200 Kgs. gross (approx.)

38 bags Sal seed sweeping, 1500 Kgs. gross (approx.)

1 bag Crushed Bone sweepings, 70 Kgs. gross (approx.)

3 Pcs. Fire Bricks Pipes, 3·5 Kgs. each.

90 Pcs. Empty gunny, 90 Kgs. approx.

Lying unconnected at P shed a/c. R shed, KF sweeping

47 bags Sal seed sweeping, 800 Kgs. gross (approx.)

20 bags Bhusi sweepings, 400 Kgs. gross (approx.)

1 Empty tea chest, 5 Kgs. approx.

Quantity and Description

5 bags G. Dal sweeping, 140 Kgs. gross (approx.)
1 Empty gunny bag, 1 Kg. approx.
A quantity of unserviceable gunny bag, 100 Kgs. approx.
2 Empty sugar bags, 2 Kgs. approx.
A quantity of Scrap Iron, 10 Kgs. approx.
A quantity of broken tea chest, 50 Kgs. (approx.)
A quantity of broken Pipes (China clay) 15 Kgs. (approx.)

Lying unconnected at W shed, KF.

1 bag sugar, 46 Kgs. approx.

Lying unconnected at 'T' Shed, KF.

A Qty. of Iron Scrap, 1 M.T. approx.
8 Pcs. Solid Iron, 8 M.T. approx.
A Qty. of Skull Scrap, 5 M.T. approx.

Lying unconnected at TAU Shed, KF.

29 bags sweeping Cotton, 87 Kgs. approx.

Lying unconnected at OMEGA Shed, KF.

A Qty. of Iron Dust (Contents of 50 bags), Wg. 500 Kgs. (approx.)

Quantity and Description

Lying at Oudh North as unconnected

A Qty. Mill Scale (dust), 5M.T. (approx.)
A quantity of M/Ore, 15 M.T. approx.
A quantity of Ore, 15 M.T. approx.
A quantity of Ore, 15 M.T. approx.

Lying at 3 NSD as unconnected

1637 Pcs. Wood and 435 Bdls. Wood, 20 M.T. approx

Lying at 4 NSD as unconnected

3 Coils Wire, 50 Kgs. approx.
1 Coil Copper coated Wg : 20 Kgs.
2 Coils C. I. Wire Wg : 30 Kgs.

Lying at 2 GRJ as unconnected

1 Bale Jute Cuttings (loose), 2 Qtls. approx.
A Qty. Jute cutting sweepings, 2 M.T. approx.
2 Bales Jute thread waste, 2 Qtls. approx.

Lying unconnected at 24 KPD

3 Pcs. Electric Main switch, 5 Kgs. approx.

D. K. GUHA,
Traffic Manager,
Calcutta Port Commissioners.

(1092-1)

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

Government of West Bengal

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 3293/M1M-183/72. — 9th July 1974.—Whereas Government in their Resolution No. 5769/M1M-187/66, dated the 19th August 1966, published at pages 3058a-3058b of the "Calcutta Gazette, Extraordinary", dated the 22nd August 1966, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), superseding the Commissioners of Uttarpara-Kotrung Municipality in the ditsrict of Hooghly, for the period up to the 31st May 1967 :

And whereas by subsequent Government Orders No. 3500/M1M-158/66 Pt., dated the 22nd May 1967, No. 1071/M1M-158/66, dated the 23rd March 1968, No. 1607/M1M-158/66, dated the 4th May 1968, No. 1886/M1M-158/66, dated the 10th June 1969, No. 323/M1M-158/68, dated the 24th March 1970, No. 4125/M1M-32/70, dated the 15th September 1970, No. 705/M1M-32/70, dated the 22nd March 1971, No. 3901/M1M-32/70, dated the 18th August 1971, No. 704/M1M-32/70, dated the 28th February 1972, No. 4015/M1M-32/70, dated the 25th August 1972, No. 5422/M1M-183/72, dated 18th December 1972, No. 2219/M1M-183/72, dated 28th June 1973 and No. 6015/M1M-183/72, dated 13th December 1973 the said period of supersession of the Commissioners of the said Municipality was extended up to the 15th July 1974;

And whereas in the opinion of the Governor, extension of the said period of supersession for a further term is necessary;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is hereby pleased to extend further the term of supersession of the Commissioners of Uttarpara-Kotrung Municipality for the period from 16th July 1974 to 31st March 1975, both days inclusive.

In exercise of the powers conferred by clause (bb) of sub-section (1) of section 554 of the said Act, the Governor is further pleased hereby to direct that the powers and duties referred to in the said clause shall, for this extended period of supersession of the Commissioners of the Uttarpara-Kotrung Municipality, be exercised and performed by Shri Achintya Kumar Purkait, Special Officer, Grade II, under the Department of Municipal Services.

By order of the Governor,

T. N. DE,

Asstt. Secy. to the Govt. of West Bengal.

No. 3296M.2A-66/72.—9th July 1974.—Whereas Government in their notification No. 3261/M.1G-69/72, dated the 6th July 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the New Barrackpore Municipality in the district of 24-Parganas shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in Notification No. 2197/M.2A-66/72, dated the 28th June 1973 and No. 6053/M.2A-66/72, dated the 17th December 1973 the said period of appointment was extended up to the 15th July 1974;

And whereas in the opinion of the Governor an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri N. N. Moitra, Sub-Deputy Magistrate and Sub-Deputy Collector, Barrackpore, in addition to his own duties, shall continue as the Executive Officer of the New Barrackpore Municipality until further order, during the said extended period and that during this period the Executive Officer shall exercise and perform all the powers and duties of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 16708F.S./FS/6P-12/73 Pt. IV.—11th July 1974.—In exercise of the power conferred by section 3 of the West Bengal Anti-profiteering Act, 1958 (West Bengal Act XXIV of 1958), the Governor is pleased hereby to rescind, with immediate effect, this department order No. 8135-F.S./FS/6P-12/73, dated the 19th April 1974, published in Part I of the "Calcutta Gazette, Extraordinary," of the 19th April 1974 relating to maximum prices chargeable by retailers in respect of different varieties of baker's bread.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

NOTIFICATION

No. 16690/F.S./FS/14R-10/73.—11th July 1974.—Whereas the Governor, having regard to the conditions prevailing in West Bengal, considers it necessary and expedient so to do in the public interest;

Now, therefore, in exercise of the power conferred by paragraph 14 of the West Bengal Wheat and Wheat Products (Licensing, Control and Prohibition of Certain Classes of Commercial Transactions) Order, 1973 (hereinafter referred to as the said order), the Governor is pleased hereby to exempt all dealers licensed under the said order from the operation of the provisions of sub-paragraph (3) of paragraph 4 thereof subject to the condition that the area of business of each such dealer shall be so much of the area in which the said order is in force as may be specified in his licence by the licensing authority having jurisdiction over his place of business and subject to the further condition that such area shall in no case be smaller than the area of the police station in which the place of business is situated.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

COTTAGE AND SMALL SCALE INDUSTRIES DEPARTMENT

RESOLUTIONS

No. 6550-Cot./1R-11(II)/72.—31st May 1974. — The Governor is pleased to constitute a Committee with the following members to go into the question of transfer of the Wood Industries Centres at Durgapur and Kalyani under the Integrated Scheme for Training-cum-Production Centres for Wood Industries from the Directorate of Cottage and Small Scale Industries, West Bengal, to the West Bengal Housing Board:—

(1) Shri S. K. Banerjee, Cost Accounts Officer, Cottage and Small Scale Industries Department—Member.

(2) Shri S. Chakrabarty, Assistant Commissioner, West Bengal Housing Board—Member.

(3) A representative of the Finance Department —Member.

(4) A representative of the Labour Department —Member.

(5) Shri P. K. Mukherjee, Joint Director of Industries (Rural Industries Project), West Bengal—Member-Secretary.

2. The terms of reference of the Committee will be—

(a) To work out the mechanics of absorption of the officers, staff and workers of the Wood Industries Centres at Durgapur and Kalyani and the proportionate headquarters staff attached to the Integrated Scheme for Training-cum-Production Centres for Wood Industries in the West Bengal Housing Board consequent on the transfer of the two Centres thereto, and

(b) To suggest ways and means for disposal of the accumulated stocks of the Wood Industries Centres at Durgapur and Kalyani.

3. The Committee shall submit its findings to Government by the 21st June, 1974.

4. Secretarial work of the Committee will be done by the Wood Industries Section of the Directorate of Cottage and Small Scale Industries, West Bengal, under the guidance of the Joint Director of Industries (Rural Industries Project), West Bengal.

Order

Ordered that the Resolution be published in an extraordinary issue of the Calcutta Gazette and be circulated to all the members of the Committee, the Housing Commissioner, Government of West Bengal, the Director of Cottage and Small Scale Industries, West Bengal, the Finance Department, the Housing Department, the Labour Department, the West Bengal Housing Board.

No. 7926-Cot.—29th June 1974.—The Governor is pleased to extend the term of the Committee constituted in the Cottage and Small Scale Industries Department Resolution No. 6550-Cot., dated the 31st May 1974 for going into the question of transfer of the Wood Industries Centres at Durgapur and Kalyani from the Directorate of Cottage and Small Scale Industries to the Housing Board for a period of one month with effect from 22nd June 1974.

Order

Ordered that the Resolution be published in an extraordinary issue of the Calcutta Gazette and be circulated to all the members of the Committee, the Housing Commissioner, Government of West Bengal, the Director of Cottage and Small Scale Industries, West Bengal, the Finance Department, the Housing Department, the Labour Department and the West Bengal Housing Board.

By order of the Governor,

B. C. MUKHERJEE,

Commissioner,
Cottage and Small Scale Industries Department
and Public Undertakings Department.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

DECLARATION

Land Acquisition

CALCUTTA.—No. 12920-L.A.(II)/2R-14/73.—11th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894) in relation to the acquisition of Land for the purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl.(1) dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Articles 258 of the constitution of India, as S.R.O. 1074, and published at page 868, Part II, section 3 of the "Gazette of India" dated 21st May 1955.

And whereas it appears to the Government that land is likely to be needed for a public purpose, namely for construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby declared that a piece of land comprising part of premises No. 7/1 Beerpara Lane described in the schedule below and measuring, more or less, .0168 of a hectare (.0415 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within ward No. 3 of the Calcutta Municipality in the city of Calcutta.

This declaration is made under the provisions of section 6 of Act I of 1894 read with the aforesaid Notification to all whom it may concern.

A plan of the land may be inspected in the Office of the First Land Acquisition Collector, Calcutta at No. 45, Princep Street, (45, Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street and Premises No.	Description of Land specific portion to be acquired.	Area in hectare	Area in acre	Ward No.
7/1 Beerpara Lane and bounded on the :—	Eastern portion	·0168	·0415	3

North—By 7, Beerpara Lane (Already acquired for M.R.T.S.).

East—By Eastern Railway Land.

South—By Calcutta Corporation drain.

West—By the remaining portion of 7/1, Beerpara Lane (Beerpara pumping Station).

By order of the Governor,
S. GHOSH,
Spl. Officer & Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

ERRATUM

HOWRAH.—No. 12926-L.A.(II)/1R-7/73.—11th July 1974.—In Notification No. 13586-L.A.(II)/1R-7/73, dated the 14th July 1973, under Section 4 of the Act I of 1894 published at page 2287, Part I of the Calcutta Gazette, Extraordinary, dated the 16th July 1973, relating to acquisition of land for a public

purpose, namely, for providing terminal facilities in Howrah Station area, in the town of Howrah, police-station-Golabari, district Howrah;

Read the words "Cullen Place re-named as" in between each of the figures "7", "6" and "5" and the words "Mukhram" in each of the lines 24, 26 and 28.

Read "North-Eastern" in place of "Eastern" in line 28.

By order of the Governor,

S. GHOSH,

Spl. Officer & Dy. Secy. (ex-officio) to the Govt. of West Bengal.

NOTIFICATION

MALDA.—No. 12940-L.A.(II)/4I-7/74.—11th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of Constitution of India as S.R.O. 1074 and published at page 868, part II, section 3 of the Gazette of India, dated 14th May 1955.

And whereas it appears to the Governor that land is likely to be needed for public purpose, namely, for Farakka Barrage Project in the village of Sadullapur, jurisdiction list No. 84, P.S. Englishbazar, district Malda, it is hereby notified that a piece of land comprising C.S. plot No. 942/991 in full and measuring, more or less, 0.0202 of a hectare (0.05 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Sadullapur.

This notification is made, under the provision of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, F.B. Project, P.O. Berhampur, district Murshidabad.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officer for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of Malda.

By order of the Governor,

S. GHOSH,

Spl. Officer & Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATIONS

No. 4297-F.T.—11th July 1974.—In exercise of the power conferred by section 6 of the West Bengal Sales Tax Act, 1954 (West Ben. Act IV of 1954), the Governor is pleased hereby to make, with effect from 15th July 1974, the following amendment in this department notification No. 1311-F.T., dated the 22nd June 1954, as subsequently amended (hereinafter referred to as the said notification), namely:—

Amendment

In the said notification, after item (5), add the following item, namely:—

"(6) Village Dantia, within police-station Balarampur, district Purulia.".

By order of the Governor,

A. K. CHATTERJEE,

Jt. Secy. to the Govt. of West Bengal.

No. 4298-F.T.—11th July 1974.—In exercise of the power conferred by sub-rule (1) of rule 15 of the West Bengal Sales Tax Rules, 1954, the Governor is pleased hereby to define the boundary of the village mentioned below as the boundary of the check-post set up in the said village, and in exercise of the power conferred by section 6 of the West Bengal Sales Tax Act, 1954 (West Ben. Act IV of 1954), the Covernor is further pleased to notify under the said section the area of such check-post included within such boundary.

The village referred to above

Village Dantia, within police-station Balarampur, district Purulia

This will take effect from the 15th July 1974.

By order of the Governor,

A. K. CHATTERJEE,

Jt. Secy. to the Govt. of West Bengal.

No. 4299-F.T.—11th July 1974.—In exercise of the power conferred by section 4B of the Bengal Finance (Sales Tax) Act, 1941 (Ben. Act VI of 1941), read with sub-rule (1) of rule 90 of the Bengal Sales Tax Rules, 1941, the Governor is pleased hereby to make, with effect from 15th July 1974, the following amendments in this department notification No. 5484-F.T., dated 7th August 1972 (hereinafter referred to as the said notification), namely:—

Amendments

In the schedule to the said notification,—

(i) in item 3, omit the word "and";

(ii) in item 4, for the word, figures and punctuation, "September 1964." substitute the word, figures and punctuation "September, 1964,"; and

(iii) after item 4, add the following item, namely:—

"5. 4297-F.T., dated the 11th July, 1974.".

By order of the Governor,

A. K. CHATTERJEE,

Jt. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 3300/M1M-93/73 (Pt. IV). — 10th July 1974.—Whereas Government in their notification No. 2338/M1M-93/73, dated the 7th July 1973, published at pages 2251-2252 of Part I of the "Calcutta Gazette, Extraordinary", dated 7th July 1973, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Bongaon Municipality in the district of 24-Parganas shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas the said period of appointment is due to expire on 6th July 1974;

And whereas in the opinion of the Governor an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri A. B. Thakur, Deputy Magistrate and Deputy Collector, Bongaon, in addition to his own duties, shall continue as the Executive Officer of the Bongaon Municipality until further order during the said extended period and that during this period the Executive Officer shall exercise and perform all the powers and duties of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

ORDERS

No. 3301/M3P-83/72.—10th July 1974.—In exercise of the power conferred by clause(bb) of sub-section (1) of section 554 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of Government order No. 2655/M3P-83/72, dated the 30th July 1973, the Governor is pleased to direct that all the powers and duties which may, under the provisions of the said Act or any other Act or any Ordinance or any Regulation or any Rule, Bye-law, Order, Notification or subsidiary legislation made under the provisions of the said Act or such other Act or such Ordinance or such Regulation, be exercised and performed by the Chairman and by Commissioners, whether at a meeting or otherwise, of the Arambagh Municipality in the district of Hooghly who have been superseded for the period of one year from 1st August 1973 by Government order No. 2654/M3P-83/72, dated the 30th July 1973, shall be exercised and performed by Shri A. K. Sengupta, Deputy Magistrate and Deputy Collector, Arambagh, with effect from 3rd June 1974 (afternoon) in addition to his own duties, vice Shri K. R. Biswas, I.A.S., transferred.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

No. 3302/M3P-83/72.—10th July 1974.—In exercise of the power conferred by clause (bb) of sub-section (1) of section 654 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of Government order No. 3301/M3P-83/72, dated the 10th July 1974, the Governor is pleased to direct that all the powers and duties which may under the provisions of the said Act or any other Act or any Ordinance or any Regulation or any Rule, Bye-law, Order, Notification or subsidiary legislation made under the provisions of the said Act or such other Act or such Ordinance or such Regulation, be exercised and performed by the Chairman and by the Commissioners, whether at a meeting or otherwise, of the Arambagh Municipality in the district of Hooghly who have been superseded for the period of one year from 1st August 1973 by order No. 2654/M3P-83/72, dated the 30th July 1973, shall be exercised and performed by Shri Sushil Kumar Dutta, I.A.S., Subdivisional Officer, Arambagh, in addition to his own duties with effect from the date of his taking over charge of the Arambagh Municipality from Shri A. K. Sengupta, Deputy Magistrate and Deputy Collector.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

No. 3303/M1M-137/72. — 10th July 1974.—Whereas Government in their order No. 1392/M1M-137/72, dated the 21st April 1973, published at page 1171 of Part I of the "Calcutta Gazette, Extraordinary", dated 21st April 1973, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), superseding the Commissioners of the Purulia Municipality in the district of Purulia, for a period of one year from the 24th April 1973;

And whereas in Government order No. 2050/M1M-137/72, dated the 14th May 1974, the said period of supersession was extended up to the 15th July 1974;

And whereas, in the opinion of the Governor, extension of the said period of supersession for a further period is necessary;

Now, therfore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is hereby pleased to extend further the term of supersession of the Commissioners of Purulia Municipality up to the 31st March 1975.

2. In exercise of the power conferred by clause (bb) of sub-section (1) of section 554 of the said Act, the Governor is further pleased hereby to direct that the powers and duties referred to in the said clause shall, for this extended period of supersession of the Commissioners of the Purulia Municipality, be exercised and performed by Shri T. K. Bhattacharya, Subdivisional Officer, Purulia (North), in addition to his own duties.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

NOTIFICATIONS

No. 3304/M1M-50/72. — 10th July 1974.—Whereas Government in their notification No. 927/M1M-50/72, dated the 14th March 1973, published at page 663 of Part I of the "Calcutta Gazette, Extraordinary", of the 14th March 1973, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Dum Dum Municipality in the district of 24-Parganas shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas, in notifications No. 3240/M1M-50/72, dated the 10th September 1973 and No. 858/M1M-50/72, dated the 2nd April 1974, the said period of appointment was extended up to the 15th July 1974;

And whereas there has been a Civil Rule No. 707 (W) of 1973 in the High Court challenging the aforesaid appointment;

And whereas, in the opinion of the Governor, an extension of the said period of apppintment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act the Governor is further pleased hereby to direct that Shri Ajit Kumar Dutta, W.B.J.C.S., Executive Officer, Barrackpore Municipality, shall continue as the Executive Officer of the Dum Dum Municipality, in addition to his own duties until further orders, during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government notification No. 927/M1M-50/72, dated the 14th March 1973, in the manner and direction given by the High Court in C. R. No. 707(W) of 1973.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3305/M1M-60/72 (Pt. III). — 10th July 1974.—Whereas Government in their notification No. 4501-M1M-60/72, dated the 30th September 1972, published at page 2108(4), Part I of the "Calcutta Gazette, Extraordinary", dated the 4th November 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Bhatpara Municipality in the district of 24-Parganas shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in notifications No. 3374/M1M-60/72 (Pt. III), dated the 24th September 1973, and No. 3210/M1M-60/72 (Pt. III), dated the 27th June 1974, the said period of appointment was extended up to the 15th July 1974;

And whereas in the opinion of the Governor an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Anil Kumar Ghose, Special Officer, Grade I, under the Department of Municipal Services, shall continue to be the Executive Officer, Bhatpara Municipality, in addition to his own duties as Executive Officer, Panihati Municipality, until further order and that during this period the Executive Officer shall exercise and perform the powers and duties of the Chairman and the Commissioners under the said Act as were conferred and imposed upon him by notification No. 615/M1M-31/74, dated the 12th March 1974.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal.

Pay Committees

RESOLUTIONS

No. 3309/M1M-21/73.—11th July 1974.—The Governor is pleased to extend the term of the Pay Committee, constituted under the Municipal Services Department resolution No. 3029/M1M-21/73, dated the 17th August 1973, published in the extraordinary issue of the "Calcutta Gazette" of 18th August 1973 in respect of the employees of Howrah Municipality for a further period up to the 31st July 1974.

Order

Ordered that the resolution be communicated to all administrative Departments of Government and others concerned.

Ordered also that the resolution be published in the "Calcutta Gazette".

By order of the Governor,

B. MAJUMDAR,

Spl. Officer and ex-officio Commissioner and Secy. to the Govt. of West Bengal.

No. 3308/M1M-21/73.—11th July 1974.—The Governor is pleased to extend the term of the Pay Committee, constituted under the Municipal Services Department resolution No. 3126/M1M-21/73, dated the 24th August 1973, published in the extraordinary issue of the "Calcutta Gazette" of 25th August 1973, in respect of Municipalities (other than Howrah Municipality), Notified Area Authorities and Town Committees for a further period up to the 31st October 1974.

Order

Ordered that the resolution be communicated to all Administrative Departments of Government and others concerned.

Ordered also that the resolution be published in the "Calcutta Gazette".

By order of the Governor,

B. MAJUMDAR,

Spl. Officer and ex-officio Commissioner and Secy. to the Govt. of West Bengal.

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 17264-F.S./FS/14R-35/73.—12th July 1974.—In exercise of the power conferred by section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955), and, in particular, by sub-section (3B) thereof, read with the Government of India, Ministry of Agriculture (Department of Food), order No. G.S.R. 316(E), dated the 20th June 1972, the Governor is pleased hereby to make, with the prior concurrence of the Central Government, the following amendment in the West Bengal Rice Mills (Control and Levy) Order, 1973, published with this Department order No. 18969-F.S./FS/14R-35/73, dated the 9th November 1973, in Part I of the "Calcutta Gazette, Extraordinary", dated 9th November 1973 (hereinafter referred to as the said Order), namely .

Amendment

After sub-paragraph (1) of paragraph 3 of the said Order, insert the following proviso, namely:

"Provided that where rice is produced or manufactured in any rice mill after the 11th day of July 1974 out of paddy harvested at any time during the period from the 1st day of March to the last day of June 1974, the quantity saleable by a licensed miller shall be 25 per cent of the quantity of rice so produced or manufactured.".

By order of the Governor,

S. B. RAY,

Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATIONS

No. 4245F.T.—6th July 1974.—In terms of rule 15 of the West Bengal State Lottery Rules, 1968, the Governor is pleased to publish the results of the Thirtieth Draw of the West Bengal State Lottery held on 22nd June 1974 at the Calcutta Information Centre.

WEST BENGAL STATE LOTTERY

Results of the 30th Draw held on 22nd June 1974 at the Calcutta Information Centre

Category of prizes.	Total number of prizes.	Value in Rupees.	Prize winning ticket No.
First Prize	One	Rs. 1,25,000 (including at option a Premier President Car, two big flats at Bidhan Nagar, a Tractor or any combination of these within the prize amount).	B 334787
Consolation Prize	Two	Rs. 1,000 each	(1) A 334787 (2) C 334787
2nd Prize	Three	Rs. 10,000 each or in kind as desired by winner.	(1) A 177528 (2) B 138344 (3) C 311426
3rd Prize	Three	Rs. 5,000 each or a Scooter	(1) A 410117 (2) B 339216 (3) C 106037

Category of Prizes.	Total number of prizes.	Value in Rupees	Prize winning tickets No.
4th Prize	Thirty ..	Rs. 1,000 each	(1) A 375638 (2) A 353880 (3) A 240192 (4) A 155130 (5) A 201654 (6) A 320351 (7) A 157597 (8) A 263237 (9) A 302489 (10) A 266006 (11) B 170415 (12) B 236324 (13) B 186342 (14) B 376875 (15) B 175267 (16) B 354106 (17) B 148428 (18) B 234297 (19) B 377299 (20) B 146453 (21) C 170387 (22) C 398880 (23) C 199802 (24) C 380894 (25) C 272221 (26) C 362267 (27) C 321646 (28) C 306424 (29) C 162774 (30) C 267918
Fifth Prize ..	Up to 3000 ..	Rs. 100 each (All tickets bearing following numbers as last four digits in A, B, C Series)	(1) 5666 (2) 0389 (3) 8647 (4) 1371 (5) 7996 (6) 6487 (7) 0523 (8) 6388 (9) 4822 (10) 3254
Sixth Prize	Up to 6000 ..	Rs. 50 each (All tickets bearing following numbers as last four digits in A, B, C Series)	(1) 6728 (2) 1482 (3) 6441 (4) 4165 (5) 6205 (6) 7057 (7) 2719 (8) 8292 (9) 8341 (10) 1621 (11) 8721 (12) 3378 (13) 3971 (14) 6504 (15) 2294 (16) 7440 (17) 6030 (18) 9821 (19) 5413 (20) 2671
Lucky Dip for Agents ..	Three	(2½ per cent of the face value of the tickets purchased by the Agent)	(1) A 305015 (2) B 353732 (3) C 203181
Lucky Dip for Sellers ..	Up to 300 ..	Rs. 100 each (All tickets bearing the following numbers as last four digits)	(1) A 7736 (2) B 8770 (3) C 7380

By order of the Governor,
A. K. CHATTERJEE,
Jt. Secy. to the Govt. of West Bengal.

No. 4246F.T.—6th July 1974.—In terms of rule 15 of the West Bengal State Lottery Rules, 1968, the Governor is pleased to publish the results of the Interim Draw of the 30th West Bengal State Lottery held on 8th June 1974 at the office of the Directorate of State Lotteries, 69 Ganesh Chandra Avenue, Calcutta-13.

WEST BENGAL STATE LOTTERY

Results of the interim draw of the 30th West Bengal State Lottery held on 8th June 1974 at the office of the Directorate of State Lotteries, 69 Ganesh Chandra Avenue, Calcutta-13

Category of prizes.	Total number of prizes.	Value in Rupees.	Prize winning ticket No.
Gift ..	.. Up to 30 (Ten in each entire authorised series)	Rs. 1,000 each	(1) All tickets bearing 59522 as last five digits in A series. (2) All tickets bearing 44299 as last five digits in B Series. (3) All tickets bearing 06176 as last five digits in C Series.
Gift ..	.. Up to 300 (Ten in each entire authorised series)	Rs. 100 each	(1) All tickets bearing 6215 as last four digits in A Series. (2) All tickets bearing 9641 as last four digits in B Series. (3) All tickets bearing 6206 as last four digits in C Series.
Seller's Prize	.. Up to 30 (Ten in each entire authorised series)	Rs. 50 each ..	(1) All counterfoils of tickets bearing 59522 as last five digits in A Series. (2) All counterfoils of tickets bearing 44299 as last five digits in B Series. (3) All counterfoils of tickets bearing 06176 as last five digits in C Series.
Seller's Prize	.. Up to 300 (100 in each entire authorised series)	Rs. 50 each	(1) All counterfoils of tickets bearing 6215 as last four digits in A Series (2) All counterfoils of tickets bearing 9641 as last four digits in B Series. (3) All counterfoils of tickets bearing 6206 as last four digits in C Series.

By order of the Governor,
A. K. CHATTERJEE,
Jt. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 3313/M1M-148/72. — 11th July 1974.— Whereas Government in their notification No. 4706/M1M-148/72, dated the 27th October 1972, published at pages 2061-2062 of Part I of the "Calcutta Gazette, Extraordinary", of the 27th October 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Champdany Municipality in the district of Hooghly shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas in notification No. 1389/M1M-148/72, dated the 21st April 1973 and No. 6017/M1M-148/72, dated the 13th December 1973, the said period of appointment was extended up to 15th July 1974;

And whereas in the opinion of the Governor an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Arun Kumar Chakraborty, Special Officer, Grade II, under the Department of Municipal Services, shall continue as the Executive Officer of the Municipality until further order during the said extended period and that during this period the Executive Officer, shall exercise and perform all the powers and duties of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,
T. N. DE,
Asstt Secy. to the Govt. of West Bengal.

No 3333/M2A-96/74 (Pt. III). — 11th July 1974. Whereas Government in their notification No. 67/M1M-96/70, dated the 11th January 1971, as subsequently amended, by notification Nos. 268/M2L-6/71, dated the 27th January 1971 and 2201/M3P-29/71, dated the 17th June 1973, issued order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Budge Budge Municipality in the district of 24-Parganas shall have an Executive Officer for a period up to 30th June 1971 from the date on which the Executive Officer assumes charge of his office;

And whereas in notifications No. 2432/M2A-6/71 (Pt. I)), dated the 30th June 1971, No. 7050/M2A-6/71(Pt. I), dated the 23rd December 1971, No. 3109/M2A-6/71 (Pt. I), dated the 22nd June 1971, No 3/M2A-6/71 (Pt. III), dated the 2nd January 1973, No. 1551/M2A-6/71 (Pt. III), dated the 30th April 1973, No. 4318/M2A-6/71 (Pt III), dated the 31st October 1973 and No. 307/

M2A-6/71 (Pt. III), dated the 6th February 1974, the said period of appointment was extended up to the 31st July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is pleased hereby to direct that Shri Nitish Chandra Ganguli, Deputy Magistrate and Deputy Collector, Alipore, in addition to his own duties, shall continue, until further orders, as Executive Officer of the Budge Budge Municipality during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon the Executive Officer by Government notification No. 2201/M3P-29/71, dated the 17th June 1971.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 3332/M1M-110/73. — 11th July 1974.— Whereas Government in their notification No. 2857/M1M-106/71(Pt. II), dated the 6th June 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Naihati Municipality in the district of 24-Parganas shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas in notifications No. 5201/M1M-106/71 (Pt. II), dated the 27th November 1972, No. 2024/M1M-106/71 (Pt. II), dated the 11th June 1973 and No. 6025/M1M-110/73, dated the 13th December 1973, the said period of appointment was extended up to the 15th July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri S. M. Chakraborty appointed in notification No. 2891/M1M-41/71 (Pt. II), dated the 8th June 1972, shall continue as Executive Officer of the Naihati Municipality during the said extended period in addition to his own duties until further orders, and that during this period the Executive Officer shall exercise and perform all the powers and duties of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 17598F.S./FS/14R-11/73 (Part). — 13th July 1974.—In exercise of the power conferred by paragraph 11 of the West Bengal Essential Foodstuffs Anti-Hoarding Order, 1966, the Governor is pleased hereby to exempt all dealers engaged in the business of sale, purchase for sale and storage for sale of Atta and Flour and all owners or persons in charge of establishments requiring Atta and Flour for establishment consumption in the areas in which the said Order is in force from the provisions of paragraphs 3, 4, 5 and 6 of the said Order.

Explanation : In this Order the expressions "establishments" and "establishment consumption" have the same meaning as in the West Bengal Rationing Order, 1964.

By order of the Governor,
S. L. BOSE,
Jt. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

DECLARATION

HOWRAH No 12932LA(II)/1R-7/73.—11th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl (I), dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (I) of Article 258 of the Constitution of India as S.R.O. 1074 and published at page 868, Part II, Section 3, of the "Gazette of India", dated the 21st May 1955;

And whereas the Governor is satisfied that the land is needed for a public purpose, namely, for providing terminal facilities in Howrah Station area in Howrah Municipality, in the town of Howrah, police-station Golabari, district Howrah, it is hereby declared that a piece of land as detailed below, measuring more or less 0·4566 of a hectare (1·1285 acres),

Description of the land

Holding No. in part—

7, Cullen place, renamed as Mukhram Kanoria Rd..

6, 6, Cullen place renamed as Mukhram Kanoria Road.

5, Cullen place reramed as Mukhram Kanoria Road, and bounded on the—

North—By Railway boundary wall.

South—By Imrpovement Trust Road.

East—By Port Commissioners' Quarters.

West—By Mukhram Kanoria Road.

Specific portion of the holding	Area in acres.	Area in Hectares.
North-Western	0·1383	0·0558
Western	0·8841	0·3578
North-Eastern	0·1061	0·0430

is needed for the aforesaid public purpose at the public expense within the aforesaid Municipality of Howrah in the town of Howrah.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 (I of 1894) read with the said Notification, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Howrah.

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

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PART IV—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

The following Act of Parliament received the assent of the President on the 3rd May, 1974, and is hereby published for general information:—

THE CONSTITUTION (THIRTY-SECOND AMENDMENT) ACT, 1973.

An Act further to amend the Constitution of India.

[3rd May, 1974.]

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Constitution (Thirty-second Amendment) Act, 1973. **Short title and commencement.**

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Clause (*1*) of article 371 of the Constitution shall be omitted, and in the marginal heading to that article, the words "Andhra Pradesh," shall be omitted. **Amendment of article 371.**

3. After article 371C of the Constitution, the following articles shall be inserted, namely:— **Insertion of new articles 371D and 371E.**

"371D. (*1*) The President may by order made with respect to the State of Andhra Pradesh provide, having regard to the requirements of the State as a whole, for equitable opportunities and facilities for the people belonging to different parts of the State, in the matter of public employment and in the matter of education, and different provisions may be made for various parts of the State. **Special provisions with respect to the State of Andhra Pradesh.**

(2) An order made under clause (1) may, in particular,—

(a) require the State Government to organise any class or classes of posts in a civil service of, or any class or classes or civil posts under, the State into different local cadres for different parts of the State and allot in accordance with such principles and procedure as may be specified in the order the persons holding such posts to the local cadres so organised;

(b) specify any part or parts of the State which shall be regarded as the local area—

(i) for direct recruitment to posts in any local cadre (whether organised in pursuance of an order under this article or constituted otherwise) under the State Government;

(ii) for direct recruitment to posts in any cadre under any local authority within the State; and

(iii) for the purposes of admission to any University within the State or to any other educational institution which is subject to the control of the State Government;

(c) specify the extent to which, the manner in which and the conditions subject to which, preference or reservation shall be given or made—

(i) in the matter of direct recruitment to posts in any such cadre referred to in sub-clause (b) as may be specified in this behalf in the order;

(ii) in the matter of admission to any such University or other educational institution referred to in sub-clause (b) as may be specified in this behalf in the order,

to or in favour of candidates who have resided or studied for any period specified in the order in the local area in respect of such cadre, University or other educational institution, as the case may be.

(3) The President may, by order, provide for the constitution of an Administrative Tribunal for the State of Andhra Pradesh to exercise such jurisdiction, powers and authority [including any jurisdiction, power and authority which immediately before the commencement of the Constitution (Thirty-second Amendment) Act, 1973, was exercisable by any court (other than the Supreme Court) or by any tribunal or other authority] as may be specified in the order with respect to the following matters, namely:—

(a) appointment, allotment or promotion to such class or classes of posts in any civil service of the State, or to such class or classes of civil posts under the State, or to such class or classes of posts under the control of any local authority within the State as may be specified in the order;

(b) seniority of persons appointed, allotted or promoted to such class or classes of posts in any civil service of the State, or to such class or classes of civil posts under the State, or to such class or classes of posts under the control of any local authority within the State, as may be specified in the order;

(c) such other conditions of service of persons appointed, allotted or promoted to such class or classes of posts in any civil service of the State or to such class or classes of civil posts under the State or to such class or classes of posts under the control of any local authority within the State, as may be specified in the order.

(4) An order made under clause (3) may—

(a) authorise the Administrative Tribunal to receive representations for the redress of grievances relating to any matter within its jurisdiction as the President may specify in the order and to make such orders thereon as the Administrative Tribunal deems fit;

(b) contain such provisions with respect to the powers and authorities and procedure of the Administrative Tribunal (including provisions with respect to the powers of the Administrative Tribunal to punish for contempt of itself) as the President may deem necessary;

(c) provide for the transfer to the Administrative Tribunal of such classes of proceedings, being proceedings relating to matters within its jurisdiction and pending before any court (other than the Supreme Court) or tribunal or other authority immediately before the commencement of such order, as may be specified in the order;

(d) contain such supplemental, incidental and consequential provisions (including provisions as to fees and as to limitation, evidence or for the application of any law for the time being in force subject to any exceptions or modifications) as the President may deem necessary.

(5) The order of the Administrative Tribunal finally disposing of any case shall become effective upon its confirmation by the State Government or on the expiry of three months from the date on which the order is made, whichever is earlier:

Provided that the State Government may, by special order made in writing and for reasons to be specified therein, modify or annul any order of the Administrative Tribunal before it becomes effective and in such a case the order of the Administrative Tribunal shall have effect only in such modified form or be of no effect, as the case may be.

(6) Every special order made by the State Government under the proviso to clause (5) shall be laid, as soon as may be after it is made, before both Houses of the State Legislature.

(7) The High Court for the State shall not have any powers of superintendence over the Administrative Tribunal and no court (other than the Supreme Court) or tribunal shall exercise any jurisdiction, power or authority in respect of any matter subject to the jurisdiction, power or authority of, or in relation to, the Administrative Tribunal.

(8) If the President is satisfied that the continued existence of the Administrative Tribunal is not necessary, the President may by order abolish the Administrative Tribunal and make such provisions in such order as he may deem fit for the transfer and disposal of cases pending before the Tribunal immediately before such abolition.

(9) Notwithstanding any judgment, decree or order of any court, tribunal or other authority,—

(a) no appointment, posting, promotion or transfer of any person—

(i) made before the 1st day of November, 1956, to any post under the Government of, or any local authority within, the State of Hyderabad as it existed before that date; or

(ii) made before the commencement of the Constitution (thirty-second Amendment) Act, 1973, to any post under the Government of, or any local or other authority within, the State of Andhra Pradesh; and

(b) no action taken or thing done by or before any person referred to in sub-clause (a),

shall be deemed to be illegal or void or ever to have become illegal or void merely on the ground that the appointment, posting, promotion or transfer of such person was not made in accordance with any law, then in force, providing for any requirement as to residence within the State of Hyderabad or, as the case may be, within any part of the State of Andhra Pradesh, in respect of such appointment, posting, promotion or transfer.

(10) The provisions of this article and of any order made by the President thereunder shall have effect notwithstanding anything in any other provision of this Constitution or in any other law for the time being in force.

Establishment of Central University in Andhra Pradesh.

371E. Parliament may by law provide for the establishment of a University in the State of Andhra Pradesh."

Amendment of Seventh Schedule.

4. In the Seventh Schedule to the Constitution, in List I, in entry 63, for the words "Delhi University, and", the words, figures and letter "Delhi University; the University established in pursuance of article 371E;" shall be substituted.

K. K. SUNDARAM,
Secy. to the Govt. of India.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF PANCHAYATS

ORDER

No 10972Panch.—9th July 1974.—Whereas by this Department Notification No. 4644-Panch., dated the 26th May 1971, published at page 1189 of Part I of the "Calcutta Gazette, Extraordinary" dated the 1st June 1971, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Sagarbarh Anchal Panchayat within Panskura II Block, district Midnapore, was superseded for a period of one year with effect from the 1st June 1971;

And whereas by this Department Notification Nos. 8085-Panch., dated the 20th June 1972, 14560 Panch, dated the 27th November 1972, 2267 Panch., dated the 15th February 1974, and 7477 Panch., dated the 17th May 1974, issued under clause (i) of sub-section (3) of section 68 of

the said Act, the said period of supersession was extended for a further total term of two years;

And whereas under the provisions of clause (i) of sub-section (3) of section 68 of the said Act, further extension of the period of supersession of the said Anchal Panchayat is not possible;

And whereas in constituting the said Sagarbarh Anchal Panchayat after expiry of the maximum period of its supersession, a difficulty has arisen in a matter not provided in the said Act;

Now, therefore, in exercise of the power conferred by section 119 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Governor has been pleased to authorise in cancellation of this Departments Order No. 8926 Panch., dated the 11th June 1974, for the purpose of removing the said difficulty, the Block Development Officer, Panskura II Block, district Midnapore, to perform the functions of the Sagarbarh Anchal Panchayat under section 46 of the said Act, for a period of one year with effect from the 1st June 1974 or till the said Anchal Panchayat is reconstituted under the provisions of law whichever

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF PANCHAYATS

NOTIFICATION

No. 11058AZP.—10th July 1974.—The following regulations made, with the previous approval of the State Government, by the Cooch Behar Zilla Parishad under sub-clause (b) of clause (1) of section 113 of the West Bengal Zilla Parishads Act, 1963 (West Bengal Act XXXV of 1963) and after previous publication as required by sub-clause (a) of clause (1) of rule 135 of the West Bengal Zilla Parishads (Election, Constitution and Administration) Rules, 1964, is hereby published as required by sub-clause (a) of clause (7) of the said rule.

1. **Short title:** These regulations may be called the Cooch Behar Zilla Parishad (Management of Provident Fund) Regulations, 1974.

2. **Definitions:** In these regulations,—

(a) "Depositor" means a servant on whose behalf a deposit is made under these rules;

(b) "Due notice of resignation of appointment" means—

(i) in the case of servants drawing Rs. 200 a month and over, three months, and

(ii) in the case of all other servants, one month;

(c) "Interest" means the interest which is paid on a deposit at a Government Savings Bank under the rules in force for such institution and includes that allowed on Government and other securities;

(d) "Salary" comprises monthly substantive pay, special pay or any allowance drawn during leave of any kind and includes acting, charge, personal, deputation or duty allowance, if any, but shall not include local or travelling allowance or any other allowance;

(e) "Servant" includes every non-pensionable employee holding a substantive appointment under the Cooch Behar Zilla Parishad but excludes those who are or may in future be treated by Government as non-pensionable if in Government service:

Provided that the persons to whom the existing pension and gratuity rules issued under Government circular No. 16L.S.G., dated 19th March, 1903, are applicable, may in lieu of enjoying the benefits of these rules elect to come under the Provident Fund rules at their option and the option once exercised shall be final:

Provided further that all officers in temporary service are, with the consent of the Cooch Behar Zilla Parishad embodied in a formal resolution at a meeting, eligible to subscribe to the fund, if they have been employed or, in the opinion of the Cooch Behar Zilla Parishad, are likely to be employed for at least three years:

Provided also that persons appointed on probation to substantive appointments or appointed to officiate in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service may, if they are confirmed without interrupption be allowed to join the Provident Fund with retrospective effect from the date of their joining the service. The monthly subscriptions to the Fund shall not in such a case be less than 10 per cent. on the salary of the officer till all arrear subscriptions are paid up:

Provided also that a servant, while on temporary transfer to service under some other local fund or Government, may also subscribe to the Provident Fnnd.

3. **Rate and realization of subscriptions:** Every servant after completion of one year's service to Zilla Parishad shall be required to subscribe at the rate of 8.5 per cent. on his salary to a Provident Fund of which an account will be opend at the Post-office Savings Bank. This deduction shall be made by the Cooch Behar Zilla Parishad upon every salary bill presented, and the net salary only shall be paid to the servant. In making this deduction fractions of a rupee of salary may be omitted. The subscription of a servant, while on temporary transfer to service under some other Local Fund or Government, shall be calculated on his assumed pay [articles 767 and 768, Civil Service Regulations, Fifth Edition (Reprint)], and it will be the duty of the servant on transfer to remit the subscription to his original employer for credit to the Provident Fund.

A servant who desires to subscribe during leave must notify his intention beforehand, in oredr to allow for the deductions from his leave allowance being noted in his leave and pay certificate. He will not be permitted to discontinue subscriptions during leave.

A servant who fails to notify his intention to continue to subscribe, when proceeding on leave, can subsequently pay his subscription in cash.

4. **Prohibition of voluntary deposits:** No voluntary deposits from servants will be credited to the Provident Fund.

5. **Subscription during leave and suspension:** Subscription on leave of any kind will be optional. They will be calculated on the allowances admissible during leave.

A servant on reinstatement, after a period passed under suspension, may be allowed the option of subscribing for that period. In the case of a servant who exercises the option of subscribing to the Fund during leave without allowances, or on reinstatement after a period passed under suspension without allowances, it is left to the discretion of the Finance and Establishment Standing Committee to determine in each case the amount of which subscription should be paid, the general principle to be observed being that the subscription should be calculated on half the salary last drawn by the servant before he proceeded on leave without allowances, or was placed under suspension without allowances.

6. **Contribution by the Zilla Parishad to deposit account of each servant:** It shall be competent to the Cooch Behar Zilla Parishad to make contribution

to the deposit account of each servant equal to, but not exceeding the deduction made from his salary under regulation 3. Provided that, if the total of the contributions shown in the bill on which remittance is made to the Savings Bank contains a fraction of a rupee, it may be increased to the next highest rupee by an addition to the bill of the difference between this fraction and unity. These provisional increases in the contribution will be shown in the abstract of balance until adjusted at the close of the year (see rules 20 and 21 below), but they will not appear in the depositor's ledger accounts.

No contribution shall be made by the Cooch Behar Zilla Parishad on the subscription paid by the depositor for any period during which he had been on suspension as a penalty for misconduct or other offences.

It will be optional with Cooch Behar Zilla Parishad to contribute for an employee while on temporary transfer to service under some other Local Fund or Government.

7. **Additional contribution :** (1) When any servant retires or dies who has subscribed to the Provident Fund and has rendered continuous good service for not less than ten years, the Cooch Behar Zilla Parishad may grant to him or to his estate from the Zilla Parishad Fund an additional contribution which should, if the finances of the Zilla Parishad permit, be calculated at the rate of half a month's pay for each completed year of service rendered by him, subject to a maximum of fifteen month's pay.

(2) If such servant has died before retirement or after retirement but before receiving the contribution, the contribution shall be paid in the manner laid down in regulation 15.

(3) For the purpose of this rule—

(a) "retirement" means retirement—

(i) on attaining the age of 58 years,

(ii) at a later age if an extension of service has been duly sanctioned, and

(iii) at an earlier age, on account of physical unfitness, illness, abolition of an appointment or any other reason considered adequate by the Cooch Behar Zilla Parishad, provided that if the retirement be voluntary retirement or resignation, it must be with the consent and approval of the authority empowered to appoint the servant;

(b) "continuous service" includes any authorised leave of absence whether with or without allowances and any overstayal of leave that was condoned at the time by the Cooch Behar Zilla Parishad;

(c) "Pay" means substantive Pay (i.e., the pay other than special pay, personal pay or other emoluments classed as pay) to which an employee is entitled on account of a post to which he has been appointed substantively, or by reason of his substantive position in a cadre.

(d) when the completed years of service rendered are being calculated, period spent on leave other than privilege leave or leave on full average pay shall be excluded.

(4) An additional contribution cannot be claimed by any subscriber to the Provident Fund as a matter of right. It should be granted at the discretion of the Cooch Behar Zilla Parishad only to those subscribers whom they consider deserving.

8. **Investment :** The deductions under regulation 3 and the contributions under regulation 6 shall be paid to the postmaster for credit to the account of the Provident Fund in the Savings Bank. The payment of the deduction shall be debited in the accounts to the same head as the salary, and the contributions shall be charged to the service head "Superannuation Allowances and Pensions", sub-head "Provident Fund Contribution". The remittances to the Savings Bank should whenever possible be made between the first and fourth of each month in order that interest may accrue for the month of deposit.

9. (1) Deposits on account of the Provident Fund or the Local Fund of employees may be made under rule 44(c) of the Savings Bank Rules (see Indian Postal Guide, April, 1971); the usual limitation of the total amount at credit of each account do not apply to such deposits [rule 44(g)]. When the investment of any portion of the amount of the balance at credit of the account is found desirable, the amount shall, on application by the Chairman, be withdrawn, and the investment shall be made either through the Postal authorities or through other agencies, as may be deemed convenient by the Chairman, in Government loans, Municipal Debentures or Port Trust Bonds of Calcutta, Bombay or Madras or in the fixed deposit in the State Bank of India or in a Co-operative Bank specially approved for the purpose of the Registrar of Co-operative Societies, provided that in case of investment in a Co-operative Bank at least three-fourths of the subscribers are in favour of such investment.

(2) The interest will be drawn by the post-office in the case of investment through Postal authorities, or by the Chairman in case of investment through other agencies, and credited in the Savings Bank account.

(3) The actual cost of purchases of such securities or the amount of such fixed deposits shall be added to the balance in the Savings Bank to obtain in total balance of the Provident Fund ledger. When any such securities are sold or any loss of such fixed deposits is caused by the failure of the Bank in which such deposits are made, the net gain or loss shall be added to or deducted from the net excess interest calculated for that year [see regulation 22(1)] before apportioning such interest among the depositors as set forth in that rule.

10. **Advances for special purposes:** (1) No final withdrawal will be allowed until the depositor quits the service or dies, but when the pecuniary circumstances of a depositor are such that the indulgence is absolutely necessary, a temporary advance may be allowed from the sum at his credit with the sanction of the Chairman of the Cooch Behar Zilla Parishad when the depositor draws a salary below Rs. 76 and that of the Cooch Behar Zilla Parishad at a meeting when his salary is Rs. 76 or over. Such an advance shall not exceed the amount subscribed by the depositor, except in special cases, e.g. when the necessity for the advance is great and the sum subscribed by him is insufficient for the expenses to be incurred.

(2) The following are examples of occasions on which the grant of advances may be considered, provided the circumstances are exceptional:

(a) to pay expenses incurred in connection with illness of a depositor or any of his dependants;

(b) to pay for the passage of any dependant of a depositor coming from beyond the sea to join him, or requiring to make a journey beyond the sea for some urgent cause; and

(c) to pay expenses in connection with marriages, funerals or ceremonies which by the religion of the depositor it is incumbent upon him to perform, and in connection with which it is obligatory that expenditure should be incurred.

NOTE: Advances, though not confirmed rigidly to the objects laid down in clauses (a) to (c) above, should be made with due regard to the principle expressed in clause (1) of this regulation as illustrated by the foregoing examples. The order sanctioning the advance should state the specific purpose for which the advance is granted.

(3) Advance will be recovered at the discretion of the authority sanctioning them, in not less than 12 instalments or more than 24. A Depositor may, however, at his option make repayment in less than 12 instalments or may repay two or more instalments at the same time; Recoveries will commence from the first payment of the full months salary after the advance is granted or (in the case of advance to an officer going on leave) after the officer's return from leave. The instalments will be paid by compulsory deduction from salary, and will be in addition to the usual subscription:

Provided that if in the opinion of the Chairman of the Cooch Behar Zilla Parishad the recovery of an ordinary advance in 24 instalments is likely to cause excessive hardships, recovery may be made in not more than 36 instalments with the sanction of the Commissioner of the Division.

(4) When an advance is paid to a depositor in excess of the amount shown against him in column 9 of the Provident Fund ledger (a portion of his sum having been invested in postal cash certificates), a minus balance should be shown in red ink in column 9 till it is wiped off by subsequent payment of subscription, contribution, etc.; and, similarly, a minus entry in red ink should be made in column 12 of the ledger for interest at 2½ per cent. or at such rate as may be allowed at the time by the Post-office Savings Bank on the debit balance in column 9. If, however, the advance is to be paid by the sale of a poprtion of the investment either in Government promissory notes, bonds or postal cash certificates, etc., the loss, if any, by this sale should be recovered from the depositor taking the advance.

(5) When an advance is repayable as regards principal in not more than 12 instalments, an additional instalment representing interest and equivalent to 3 per cent. of the total amount of the advance should be paid in the month following that in which the last instalment is paid. Similarly, two additional instalments representing interest each equivalent to 3 per cent. of the total amount of the advance should be paid when the advance is repayable in more than 12 instalments. In either case, the instalment of interest, when realised, should be credited to the account of the depositor himself.

11. In the following cases a depositor may be permitted to withdraw the deposits up to 90 per cent. of his own subscription with interest at his credit before the actual date of his retirement on the conditions laid down against each:

(1) A subscriber proceeding on leave preparatory to retirement at any time between the date of his proceeding on leave and the date of retirement, subject, however, to the condition that he will be required, should he return to duty at the end of his leave, to repay to the Fund in one or more instalments the whole amount withdrawn by him with interest thereon, unless his active service actually terminates within six months.

(2) A subscriber who produces a medical certificate of incapacity for further service, at any time between the date of his producing such certificate and the date of retirement.

In both the cases referred to above the previous sanction of the Cooch Behar Zilla Parishad at a meeting should be obtained and no refund shall be made until the Chairman after due enquiry certifies that no dues are outstanding against the depositor.

12. **Withdrawals on retirement:** (1) When a depositor in permanent employ ceases to be a servant of the Cooch Behar Zilla Parishad by resignation, retirement, reduction of establishment, or by permanent transfer to service under some other local fund or to Government service, the Cooch Behar Zilla Parishad at a meeting shall cause the amount standing to his credit (i.e., the deposits and contributions with interest thereon) to be withdrawn and subject to rule 18 to be handed over to him unless the Cooch Behar Zilla Parishad has received notice of an assignment made before 18th February 1928, affecting the disposal of the amount of any portion of it; should such notice have been received the Cooch Behar Zilla Parishad will hand over to the depositor only that portion of the amount which is not affected by the assignment or by the operation of rule 18 and will dispose of the balance after taking the opinion of the Legal Remembrancer through the District Officer.

(2) A depositor holding a temporary appointment may, subject to the same conditions, either withdraw the amount on the termination of his appointment or leave it in the Fund to be withdrawn at the time he finally quits the service.

(3) If in the opinion of the Chairman of the Cooch Behar Zilla Parishad the withdrawal of interest from the Savings Bank would unduly trench upon the deposits at credit of the other depositors, the interest shall not be paid at once from the Provident Fund, but be temporarily advanced from the funds of the Cooch Behar Zilla Parishad. The advance shall be adjusted when the difference between the total of the ledger balances and the balance of the Provident Fund in the Pass Book may be withdrawn from the Savings Bank under regulation 21.

(4) In the case of final withdrawal of the entire balance standing to the credit of a depositor on retirement or otherwise the fraction of a rupee, if any, may be advanced temporarily from the funds of the Cooch Behar Zilla Parishad,

The advance shall be adjusted when the difference between the total of the ledger balance and the balance of the Provident Fund in the Pass Book may be withdrawn from the Savings Bank under rule 21.

13. **Disposal on depositor's death**: Each depositor will as soon after he joins the Fund as possible be called upon by the Chairman of the Cooch Behar Zilla Parishad to furnish "Form of Declaration", showing how he wishes the amount of his accumulations to be disposed of on his death. A specimen of this form will be found at the end of these regulations.

14. An adopted child shall be considered to be a child for the purpose of these rules when under the personal law of the depositor adoption is legally recognised as conferring the status of a natural child, but in this case only. If doubts arise in an indvidual case, the Cooch Behar Zilla Parishad will take the opinion of the Legal Remembrancer through the District Officer and his opinion shall be final for the purposes of these rules. A declaration in favour of an adopted child is made at the depositor's risk and can be challenged at any time.

15. A depositor may in his declaration provide for the distribution of a portion only of the amount. Thus the Form of Declaration may mention a specific sum or a specific proportion of the total amount. The disposal of the balance will be governed by regulation 17 .

Any Form of Declaration submitted by a depositor is revocable at any time and from time to time. A fresh declaration shall, subject to regulation 16, be operative only on being received by the Chairman of the Cooch Behar Zilla Parishad. On a depositor's marriage, or remarriage, any declaration already submitted by him will forthwith become null and void and, unless a revised Form of Declaration is received, the amount of his accumulation will be dealt with under regulation 17.

If minors are nominated in Form of Declaration, the person or persons to whom sums intended for their benefit are to be paid should be stated in the Form of Declaration.

16. In the event of the depositor having a dependant, he is not permitted in his Form of Declaration to leave the amount of his accumulations or any part of it to any one who is not his dependant. Where a Form of Declaration purports to leave money otherwise than to a depositor's dependant, the Chairman of the Cooch Behar Zilla Parishad shall call upon the depositor to state whether he has a dependant, and if it is found that he has one, the Form of Declaration shall not be accepted. A depositor who has dependants has absolute discretion regarding the distribution of the amount at his credit at the time of his death among those dependants. He may exclude any one or more of them in favour of another or others of them and the manner in which the distribution is to be made among them is also within his absolute discretion.

17. The disposal of the balance at credit of deceased depositors is regulated by section 4(1) of the Provident Fund Act, 1925.

18. The Cooch Behar Zilla Parishad will not be bound by, or to recognise, any assignment or encumbrance executed or attempted to be created which affects the disposal of the accumulations of a depositor who dies before retirement.

19. **Withdrawal of contribution and deduction from deposit**: If a servant dismissed or removed or called upon to resign on account of misconduct, or inefficiency or resigns without due notice, or is made liable for any losses, damages, costs and expenses which the Cooch Behar Zilla Parishad may at any time pay, sustain or be put to by reason of any act of embezzlement or default of or by such servant, the Cooch Behar Zilla Parishad may, with the sanction of the Commissioner of the Division, withhold all or any part of the contribution alloted to him with the interest accrued thereon, and to pay to the servant only the balance to his credit without such contribution and the interest thereon. If a servant is permitted to resign under any other circumstances than those mentioned in the last sentence before he had rendered five years' completed service, the Cooch Behar Zilla Parishad may, with the sanction of the Commissioner, withhold a poprtion of the contribution alloted to him with interest bearing the same ratio to the whole amount so contributed with interest thereon, as the number of years required to complete a service of five years bears to five years.

20. Any contribution and interest thereon withheld from a servant shall be credited to the Cooch Behar Zilla Parishad Fund.

21. **Provident Fund Ledger and abstract of balance:** A Provident Fund ledger in the following form having a separate page for each depositor's account will be maintained in the Zilla Parishad Office:

Serial No. ..... Name ..... Appointment .....

DEPOSITOR											Columns of Calculation of Interest			
Voucher		Remittance to Savings Bank Amount												
Number.	Date	Cheque No.	Date.	Depositor's subscription	Employer's contributions	Recovery of advance	Amount advanced	Balance after each transaction	Initial of the Vice-Chairman	Principal or lowest balance between the close of fourth day and the end of the months.	Amount of interest at 2½ per cent. or at such rate as may be allowed at the time by the Post-office Savings Book per annum on the amount in column 11	Proportionate share of excess interest calculated at the end of the year.	Proporionate amount held in Postal Cash Certificates	Remarks and note of withdrawal
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

As soon as any sum remitted to the Savings Bank under rule 7 is credited by the Postmaster in the Pass Book the portion creditable to each depositor shall be entered in the ledger on the page set apart for his account. When Post-office Five-year Cash Certificates or other certificates are purchased out of the balance, in the Savings Bank, the proportionate share of each depositor shall be fixed and the amount shall be deducted from the amount against his name in column 9 and entered in column 14 of the ledger, until the certificate matures or is cashed. The total of column 9 of the ledger will be proved with the total balance of the Pass Book monthly by means of an abstract of balances in the following form:

Balance as shown in column of the Depositor's Ledger

Serial No.	Name	Appointment	April	May	June	July	August	September	October	November	December	January	February	March without interest	Interest at 2½ per cent. or at such rate as may be allowed at the time by the Post-office Savings Bank has shown in the ledger	Proportionate share of excess interest not loss	March with interest
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Total ..																	

Add—Provisional increase to contributions under rule 5, fractions left unadjusted at close of the year under rule 21.

Add—Interest on Government and other securities credited into the post-office but not included in the individual ledger accounts.

Deduct—Interest on accounts closed during the year under rules 11, 16 and 18.

Deduct—Money invested in Government and other securities (*vide* rule 8).

Deduct—Interest on Government and other securities not credited, in the post-office but included into the individual accounts.

Add—The fraction of a rupee paid from the fund of the Zilla Parishad [*vide* rule 11(4)].

Total in Pass Book .. ..

22. (1) Calculation of the interest due on each account shall be made at the rate of 2½ per cent. or at such rate as may be allowed at the time by the Post-office Savings Bank per annum for each calendar month on the lowest balance at credit of an account between the closing of the fourth day and the end of the month. The yearly interest thus calculated on each account shall be entered in column 16 of the abstract of balances prescribed in regulation 21. As soon, after the 30th of April, as the interest for the previous year is added by the post-office to the principal of the Fund and the interest on investment through other agencies is drawn by the Chairman and credited in the Saving Banks account [see rule 8(2)], the total (–) yearly interest calculated at the aforesaid rate of 2½ per cent. or at such rate as may be allowed at the time by the Post-office Savings Bank and entered in the depositor's accounts, as shown in column 16 of the said abstract of balances, shall be deducted from the total interest (–) actually received for the year, and this excess interest (–) together with the gain or loss by the (+) sale of Government security, if any, during the year [see rule 8(3)] shall be shared by those depositors whose credits in the Provident Fund exceed Rs. 100 in proportion to their balances on the 31st March, provided that, for the purpose of calculating and adjusting against crediting to each depositor's account his share of the excess interest the total balance at the depositor's credit shall be taken as the nearest hundred. The interest thus calculated shall be added to the principal in column 9 of the depositor's ledger account (see form in regulation 21).

(2) In the case of the Post-office Five-year Cash Certificates or other certificates, the total amount received from the post-office shall be apportioned to each depositor, when the certificate matures or is cashed, in the proportion fixed at the time of purchase.

(3) If any payment has to be made during the year on a depositor's account the interest calculated monthly at 2½ per cent. or at such rate as may be allowed at the time by the Post-office Savings Bank on that account shall be added to the principal in column 9 (see form in regulation 21) and for his proportionate share in the Post-office Cash Certificates, the amount due as calculated from the figures given at the back of the Cash Certificate shall be added.

(4) The provisional increase to contributions under regulation 6 or the temporary advance under sub-rule (4) of the regulation 12 shall be credited to the Zilla Parishad as a miscellaneous receipt. If however the total of the provisional increase and temporary advance is, or contains, a fraction of a rupee this fraction of a rupee shall be left in the Savings Bank for adjustment at the close of the following year. When the balances have been thus compared and adjusted, the ledger account of the next year shall be opened.

23. A copy of this ledger account signed by the Vice-Chairman shall be given to each subscriber after the annual comparison and adjustment of balances. Subscribers must satisfy themselves as to the correctness of these accounts, and unless errors in them are brought to the notice of the Vice-Chairman within one month from the date of their receipt, no claim based on such error will be subsequently recognised.

24. **Dead account**: On a depositor leaving the service his account shall be closed and unless the amount at his credit be withdrawn within a certain period, viz., for balances of Rs. 10 and under, one year, and for balances over Rs. 10,

three years, it shall be written off as a dead account, and repaid only under the orders of the Commissioner of the Division. The fact that the account has been closed will not operate as a bar to the interest being credited to the depositor's account, i.e., the interest accruing until the amount of deposit is withdrawn for payment to the depositor or his heir, or, under rule 24, will be added to the deposit.

25. When accounts become 'dead' they must be removed from the Provident Fund ledger and be credited in the cash book as a miscellaneous receipt, the money being drawn out of the Savings Bank. On an amount being thus written off, it should be entered in a 'dead' account register, in which subsequent repayments shall be noted in order to avoid double payment.

26. **Procedure:** The Chairman of the Cooch Behar Zilla Parishad will endeavour to secure from all depositors on their first joining the Fund the submission of the Form of Declaration prescribed in regulation 11. If a depositor desires to revise his declaration he should apply to the Chairman of the Cooch Behar Zilla Parishad for the necessary form. All such declarations still in force shall be carefuly recorded in the personal custody of a responsible officer.

Form of Declaration

Depositor No. .....

(*For ..... depositor)

I hereby declare that in the event of my death the amount at my credit in the Provident Fund shall be distributed among the persons mentioned below in the manner shown against their names.

The amount due to nominee who is a minor at the time of my death should be paid to the persons whose name appears in column 5 :

Name and address of the nominee or nominees	Relationship with the depositor	Whether major or minor, if minor, state his/her age	Amount or share of deposit	Name and address of the person to whom payment is to be made on behalf of the minor	Sex and parcentage of person mentioned in column 5
1	2	3	4	5	6

*Here state married or unmarried.

Station .....

Two witnesses to signature

.....

.....

Signature of depositor .....

Date .....

By order of the Governor,

R. N. CHATTEREJEE,

Dy. Secy. to the Govt. of West Bengal.

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Extraordinary

Published by Authority

ASADHA 24] MONDAY, JULY 15, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

OFFICE OF THE COMMISSIONER OF POLICE, CALCUTTA

ORDER

Whereas information has been received from credible sources that violent demonstrations are likely to take place resulting in large scale disturbances of the public tranquillity and breach of the peace in the area mentioned in the Schedule below in the suburbs of the town of Calcutta (hereinafter referred to as the said area);

And whereas, I, S. C. Chaudhuri, Commissioner of Police, Calcutta, being an Executive Magistrate in the district of 24-Parganas, have been specially empowered by the State Government under Notification No. 2505-G.A., dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974);

And whereas, in my opinion, there is sufficient ground for proceeding under the said section for immediate prevention of disturbances of the public tranquillity and breach of the peace within the said area in the suburbs of the town of Calcutta;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), read with sub-section (3) of the said section, I, the said

S C Chaudhuri, Commissioner of Police, Calcutta and an Executive Magistrate in the district of 24-Parganas, do hereby prohibit from the 15th July 1974, until further orders, any assembly of five or more persons, or any procession, or the carrying of any lathis or other dangerous weapons, or the doing of any act which is likely to cause a disturbance of the public tranquillity and breach of the peace within the said area in the suburbs of the town of Calcutta

The Schedule

The area around the South-Eastern Railway Head quarters and Staff Colonies within the jurisdiction of South Port police-station in the suburbs of the town of Calcutta bounded—

On the north—By the river Hooghly (the river excluded);

On the south—By Garden Reach Road from its crossing with Nimok Mahal Road up to the crossing of Dumayune Avenue (Garden Reach Road being included);

On the east—From the crossing of Dumayune Avenue with Garden Reach Road and then along the western boundary wall of Tea Transit Shed of the Calcutta Port Commissioners leading to the river Hooghly; and

On the west—From the crossing of Nimok Mahal Road with Garden Reach Road and then along the western boundary wall of South Eastern Railway Headquarters leading to the river Hooghly.

Explanation: In this order, the "Suburbs of the town of Calcutta" means the suburbs of the town of Calcutta as defined by a notification under section 1 of the Calcutta Suburban Police Act, 1866 (Bengal Act II of 1866).

Given under my hand and seal this the Fifteenth day of July 1974.

S. C. CHAUDHURI,
Commissioner of Police, Calcutta,
and
Executive Magistrate in the district of 24-Parganas

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 3306/MIM-3/74. — 10th July 1974.—Whereas Government in their Notification No. 3721/MIM-77/72, dated the 7th August 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Raghunathpur Municipality in the district of Purulia shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And where as in Notification No. 2703/MIM-77/72, dated the 6th August 1973, and No. 106/MIM-77/72, dated the 18th January 1974, the said period of appointment was extended up to 15th July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri B. N. Singha Roy, Resident Magistrate, Raghunathpur, shall continue as the Executive Officer of the Raghunathpur Municipality in addition to his own duties, until further orders, during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 3721/MIM-77/72, dated the 7th August 1972.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

No. 3362/MIM-39/74-Pt.II. — 12th July 1974. — Whereas Government in their Notification No. 4028/MIM-49/71, dated the 23rd August 1971, published at page 1599 of Part I of the "Calcutta Gazette, Extraordinary", of the 23rd August 1971, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Asansol Municipality in the district of Burdwan shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in Notifications No. 3998/MIM-49/71(Pt.II), dated the 23rd August 1972, No. 3145/MIM-49/71(Pt.II), dated the 28th March 1973, and No. 869/MIM-39/74(Pt.II), dated the 3rd April 1974, the said period of appointment was extended up to the 31st July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to appoint Shri Dilip Kumar Roy Chowdhury, Special Officer, Grade II, to be the Executive Officer of the Asansol Municipality during the said extended period and that during this period the Executive Officer shall exercise and perform all the powers and duties of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,

T. N. DE,

Asstt. Secy. to the Govt. of West Bengal.

No. 3359/MIM-52/72. — 12th July 1974.—Whereas Government in their Notification No. 2509/MIM-52/72, dated the 5th May 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Baranagar Municipality in the district of 24-Parganas shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas in Notifications No. 5043/MIM-52/72, dated the 13th November 1972, No. 4354/MIM-52/72, dated the 1st November 1973, and No. 451/MIM-62/72, dated the 25th February 1974, the said period of appointment was extended up to the 15th July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Pabitra Kumar Ghosh, Deputy Magistrate and Deputy Collector, shall continue as the Executive Officer of the Baranagar Municipality during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 3215/MIM-52/72, dated the 28th June 1974.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal.

FINANCE DEPARTMENT

Taxation

NOTIFICATIONS

No. 4271-F.T.—10th July 1974.—In exercise of the power conferred by section 26 of the Bengal Finance (Sales Tax) Act, 1941 (Ben. Act VI of 1941), the Governor is pleased hereby to make, with effect from the 15th July 1974, the following amendments in the Bengal Sales Tax Rules, 1941, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendments

In rule 21A of the said rules,—

(i) after the words "in this behalf", insert the words "or otherwise"; and

(ii) after the words and figures "rule 21", insert the words and figures "or rule 25".

By order of the Governor,

T. N. MUKHERJEE,

Asstt. Secy. to the Govt. of West Bengal.

No. 4315-F.T.—13th July 1974.—In pursuance of sub-clause (b) of clause (VI) of regulation 2 of the Commercial Taxes Tribunal Regulations, 1974, the Governor has been pleased to appoint, with effect from the 2nd July 1974, Shri S. Mukherjee, Assistant Commissioner, Commercial Taxes, Chowringhee Circle, as authorised representative to attend, appear, act or plead before the West Bengal Commercial Taxes Tribunal and to receive notices issued by the said Tribunal until further orders. He will continue to act as Assistant Commissioner, Commercial Taxes, Chowringhee Circle, in addition, until further orders.

By order of the Governor,

T. N. MUKHERJEE,

Asstt. Secy. to the Govt. of West Bengal.

No. 4316-F.T.—13th July 1974.—In pursuance of sub-clause (b) of clause (VI) of regulation 2 of the Commercial Taxes Tribunal Regulations, 1974, the Governor has been pleased to appoint, with effect from the 2nd July 1974, Shri D. N. Roy, Assistant Commissioner, Commercial Taxes, Calcutta (South) Circle, as authorised representative to attend, appear, act or plead before the West Bengal Commercial Taxes Tribunal and to receive notices issued by the said Tribunal until further orders. He will continue to act as Assistant Commissioner, Commercial Taxes, Calcutta (South) Circle, in addition, until further orders.

By order of the Governor,

T. N. MUKHERJEE,

Asstt. Secy. to the Govt. of West Bengal.

DEPARTMENT OF PANCHAYATS

NOTIFICATIONS

No. 10787-Panch.—10th July 1974.—Whereas by this Department Notification No. 14540-Panch., dated the 27th November 1972, published at page 2282(a) of Part I of the "Calcutta Gazette, Extraordinary", dated the 1st December 1972, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957), the Hinglow Anchal Panchayat within Mohammad Bazar Block, district Birbhum, was superseded for a period of six months with effect from the 1st December 1972;

And whereas by this Department Notification No. 2262-Panch., dated the 15th February 1974, published at page 384 of Part I of the "Calcutta Gazette, Extraordinary", dated the 22nd February 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of one year with effect from the 1st June 1973;

And whereas the Governor considers it necessary to extend the said period of supersession for a further term of six months;

Now, therefore, in exercise of the power conferred by clause (i) of sub-section (3) of section 68 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957), the Governor is pleased hereby to extend the said period of supersession of Hinglow Anchal Panchayat for a further term of six months with effect from the 1st June 1974.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

No. 10954-Panch.—11th July 1974. — Whereas by this Department Notification No. 7889-Panch., dated the 19th June 1972, published at page 1414(b) of Part I of the "Calcutta Gazette, Extraordinary", dated the 1st July 1972, issued under section 67 of West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Barhat Anchal Panchayat within Patashpur Block, district Midnapore, was superseded for a period of one year with effect from the 1st July 1972;

And whereas by this Department Notification No. 2263-Panch., dated the 15th February 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 1st July 1973;

And whereas by this Department Notification No. 7657-Panch., dated the 20th May 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 1st January 1974;

And whereas the Governor considers it necessary to extend the said period of supersession for a further term of six months;

Now, therefore, in exercise of the power conferred by clause (i) of sub-section (3) of section 68 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Governor is pleased hereby to extend the said period of supersession of Barhat Anchal Panchayat for a further term of six months with effect from the 1st July 1974.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

No. 10962-Panch.—11th July 1974. — Whereas by this Department Notification No. 8045-Panch., dated the 21st June 1972, published at page 1414(a) of Part I of the "Calcutta Gazette, Extraordinary", dated the 1st July 1972, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Amarshi Anchal Panchayat within Patashpur Block, district Midnapore was superseded for a period of one year with effect from the 1st July 1972;

And whereas by this Department Notification No. 2266-Panch., dated the 15th February 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 1st July 1973;

And whereas by this Department Notification No. 7478-Panch., dated the 20th May 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 1st January 1974;

And whereas the Governor considers it necessary to extend the said period of supersession for a further term of six months;

Now, therefore, in exercise of the power conferred by clause (i) of sub-section (3) of section 68 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Governor is pleased hereby to extend the said period of supersession of Amarshi Anchal Panchayat for a further term of six months with effect from the 1st July 1974.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

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PART I Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4328-F.T.—15th July 1974.—In pursuance of Rule 11 of the West Bengal State Lottery Rules, 1968, as subsequently amended, the Governor is pleased hereby to appoint a Committee of Judges consisting of the following persons to supervise the 31st Draw of the West Bengal State Lottery to be held at the Zilla Parishad Hall, Burdwan, on July 27, 1974 at 10-30 a.m.—

(1) Dr. Ramaranjan Mukherjee, Vice-Chancellor, Burdwan University—Chairman.

(2) Dr. Gobinda Gopal Mukhopadhyay, Head of the Department of Sanskrit, Burdwan University—Member.

(3) Shri Radhagobinda Hati, President, Bar Association, Burdwan—Member.

(4) Shri Narayan Chowdhuri, Chairman, Zilla Parishad, Burdwan—Member.

(5) Shri J. K. Bhattacharjee, District Judge—Member.

By order of the Governor,

A. K. CHATTERJEE,

Jt. Secy. to the Govt. of West Bengal.

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PART IA—Orders and notifications of the Government of India, Statutory notifications of the Election Commission, India, and other Election notifications published for general information. Orders and notifications which have originally been published in the "Gazette of India" are only republished

ELECTION COMMISSION OF INDIA

NOTIFICATIONS

Dated New Delhi, the 16th July 1974.

No. 479/74.—Whereas the term of office of Shri V. V. Giri, President of India, is due to expire on 23rd August 1974;

And whereas under sub-section (3) of section 4 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission is required to appoint the dates for the election to fill the office of the President of India so that it will be completed in time to enable the President thereby elected to enter upon his office on the 24th day of August 1974;

Now therefore in pursuance of sub-section (1) of section 4 of the said Act, the Election Commission hereby appoints in respect of the said election—

(a) 30th July 1974 (Tuesday), as the last date for the making nominations;

(b) 31st July 1974 (Wednesday), as the date for the scrutiny of nominations;

(c) 2nd August 1974 (Friday), as the last date for the withdrawal of candidatures; and

(d) 17th August 1974 (Saturday), as the date on which a poll shall, if necessary, be taken.

By order,

A. N. Sen,

Secretary to the Election Commission.

Dated New Delhi, the 16th July 1974

No. 479/74(6)I.—In pursuance of rule 7 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby—

(a) fixes each of the places specified in column 1 of the table below to be a place of polling at the Presidential election to be held in accordance with its notification No. 479/74, dated 16th July 1974, and

(b) with respect to each such place of polling, specifies in the corresponding entry in column 2 of the said table the group of electors who will be entitled to vote at that place.

TABLE

Place of polling	Group of electors
1	2
(1) Room No. 63, First Floor, Parliament House, New Delhi.	Elected members of Parliament (excluding those who after intimation to the Election Commission intend to vote at any other place of polling) and any elected member of the Legislative Assembly of a State who on a special request made by him to the Election Commission to vote at the place of polling in New Delhi is permitted by the Election Commission to do so.
(2) Committee Room of the Andhra Pradesh Legislative Assembly Buildings, Hyderabad.	Elected members of the Andhra Pradesh Legislative Assembly and any elected Member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Hyderabad.
(3) Room No. 26 of the Assam Legislative Assembly Building, Dispur.	Elected members of the Assam Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Dispur.
(4) Information Room of the Bihar Legislative Assembly, Patna.	Elected members of the Bihar Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Patna.
(5) Library of the Gujarat Legislative Assembly, Gandhinagar.	Any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Gandhinagar.
(6) Committee Room of the Haryana Vidhan Sabha Secretariat, Vidhan Bhawan, Chandigarh-1.	Elected members of the Haryana Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Chandigarh.
(7) Committee Room in Council Chamber of the Himachal Pradesh Legislative Assembly Building, Simla.	Elected members of the Himachal Pradesh Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Simla.
(8) Assembly Lobby, Jammu and Kashmir Legislative Assembly Building, Srinagar.	Elected members of the Jammu and Kashmir Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Srinagar.
(9) Committee Room (Room No. 118), Karnataka Legislature Secretariat, First Floor, Vidhan Soudha, Bangalore.	Elected members of the Karnataka Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Bangalore.
(10) Press Room of the Kerala Legislative Assembly Buildings, Trivandrum.	Elected members of the Kerala Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Trivandrum.
(11) Committee Room of the Madhya Pradesh Vidhan Sabha Bhawan, Bhopal.	Elected members of the Madhya Pradesh Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Bhopal.

Place of polling	Group of electors
1	2
(12) Maharashtra Legislative Assembly Hall including its lobbies, Fort, Bombay.	Elected members of the Maharashtra Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Bombay.
(13) Committee Room of the Manipur Legislative Assembly, Imphal.	Elected members of the Manipur Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Imphal.
(14) Library of the Meghalaya Legislative Assembly inside Assembly premises, Shillong.	Elected members of the Meghalaya Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Shillong.
(15) Committee Room in the Nagaland Legislative Assembly Building, Kohima.	Elected members of the Nagaland Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Kohima.
(16) Office Room of the Secretary, Orissa Legislative Assembly in the State Legislative Assembly Building, Bhubaneswar.	Elected members of the Orissa Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Bhubaneswar.
(17) Committee Room of the Punjab Vidhan Sabha Secretariat, Vidhan Bhawan, Chandigarh.	Elected members of ths Punjab Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Chandigarh.
(18) Cabinet Room of the Rajasthan Legislative Assembly, Sawai Man Singh Town Hall, Jaipur.	Elected members of the Rajasthan Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Jaipur.
(19) Legislature Committee Room (Formerly Members Lounge Room) in the ground floor of the Secretariat Buildings, Fort St. George, Madras.	Elected members of the Tamil Nadu Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Madras.
(20) Library Room of the Tripura Legislative Assembly, Agartala.	Elected members of the Tripura Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Agartala.
(21) Vidhan Vachnalaya (Room No. 44), Vidhan Bhawan, Lucknow.	Elected members of the Uttar Pradesh Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Lucknow.
(22) "Assembly Chamber" in the Assembly House, Calcutta-1.	Elected members of the West Bengal Legislative Assembly and any elected member of Parliament who after intimation to the Election Commission intends to vote at the place of polling in Calcutta.

By order,

A. N. SEN,

Secretary to the Election Commission.

Dated New Delhi, the 16th July 1974.

No. 479/74(6)II.—In pursulance of clause (b) of rule 7 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby specifies the hours from 10 a.m. to 5 p.m. both inclusive to be the hours during which the poll will be taken at each place of polling fixed by the Commission in its notification No 479/74(6)I, dated the 16th July 1974, for the Presidential election.

By order,

A. N. SEN,

Secretary to the Election Commission.

Dated New Delhi, the 16th July 1974

No. 479/74(8).—Besides the Returning Officer for the Presidential Election, 1974, who shall conduct the poll to be taken at the said election on the 17th August 1974 at the place of polling in the Parliament House in New Delhi, the Assistant Returning Officers who are hereby specified in column 1 of the table below by the Election Commission under sub-rule (1) of rule 9 of the Presidential and Vice-Presidential Elections Rules, 1974, shall also conduct the poll at the said election on the said date and the place of polling at which each such Assistant Returning Officer shall conduct the poll is specified against him in column 2 of the said table:

TABLE

Assistant Returning Officer.	Place of Polling.
1	2
(1) The Secretary, Andhra Pradesh Legislative Assembly, Hyderabad.	Committee Room of the Andhra Pradesh Legislative Assembly Buildings, Hyderabad.
(2) The Secretary, Assam Legislative Assembly, Dispur.	Room No. 26 of the Assam Legislative Assembly Building, Dispur.
(3) The Secretary, Bihar Legislative Assembly, Patna.	Information Room of the Bihar Legislative Assembly, Patna.
(4) The Secretary, Gujarat Legislative Assembly, Gandhinagar.	Library of the Gujarat Legislative Assembly, Gandhinagar.
(5) The Secretary, Haryana Legislative Assembly, Chandigarh.	Committee Room of the Haryana Vidhan Sabha Secretariat, Vidhan Bhawan, Chandigarh-1.
(6) The Secretary, Himachal Pradesh Legislative Assembly, Simla.	Committee Room in Council Chamber of the Himachal Pradesh Legislative Assembly Building, Simla.
(7) The Secretary, Jammu and Kashmir Legislative Assembly, Srinagar.	Assembly Lobby, Jammu and Kashmir Legislative Assembly Building, Srinagar.
(8) The Secretary, Karnataka Legislative Assembly, Bangalore.	Committee Room (Room No. 118), Karnataka Legislature Secretariat, First Floor, Vidhan Soudha, Bangalore.
(9) The Secretary, Kerala Legislative Assembly, Trivandrum.	Press Room of the Kerala Legislative Assembly Buildings, Trivandrum.
(10) The Secretary, Madhya Pradesh Legislative Assembly, Bhopal.	Committee Room of the Madhya Pradesh Vidhan Sabha Bhawan, Bhopal.
(11) The Secretary, Maharashtra Legislative Assembly, Bombay.	Maharashtra Legislative Assembly Hall including its lobbies, Fort, Bombay.
(12) The Secretary, Manipur Legislative Assembly, Imphal.	Committee Room of the Manipur Legislative Assembly, Imphal.
(13) The Secretary, Meghalaya Legislative Assembly, Shillong.	Library of the Meghalaya Legislative Assembly inside Assembly Premises, Shillong.
(14) The Secretary, Nagaland Legislative Assembly, Kohima.	Committee Room in the Nagaland Legislative Assembly Building, Kohima.
(15) The Secretary, Orissa Legislative Assembly, Bhubaneswar.	Office Room of the Secretary, Orissa Legislative Assembly in the State Legislative Assembly Building, Bhubaneswar.
(16) The Secretary, Punjab Legislative Assembly, Chandigarh.	Committee Room of the Punjab Vidhan Sabha Secretariat, Vidhan Bhawan, Chandigarh.
(17) The Secretary, Rajasthan Legislative Assembly, Jaipur.	Cabinet Room of the Rajasthan Legislative Assembly, Sawai Man Singh Town Hall, Jaipur.

Assistant Returning Officer.	Place of Polling.
1	
(18) The Secretary, Tamil Nadu Legislative Assembly, Madras.	Legislature Committee Room (Formerly Members Lounge Room) in the ground floor of the Secretariat Buildings, Fort Street George, Madras.
(19) The Secretary, Tripura Legislative Assembly, Agartala.	Library Room of the Tripura Legislative Assembly, Agartala.
(20) The Secretary, Uttar Pradesh Legislative Assembly, Lucknow.	Vidhan Vachnalaya (Room No. 44), Vidhan Bhawan Lucknow.
(21) The Secretary, West Bengal Legislative Assembly, Calcutta.	"Assembly Chamber" in the Assembly House, Calcutta-1.

By order,
A. N. SEN,
Secretary to the Election Commission.

RAJYA SABHA SECRETARIAT

Public Notice of Election to the office of President of India

Dated New Delhi, the 16th July 1974

Whereas a notification under sub-section (1) of section 4 of the Presidential and Vice-Presidential Elections Act, 1952, for the holding of an election to fill the office of President of India has been issued by the Election Commission, I, B. N. Banerjee, the Returning Officer for such election, do hereby give notice that—

(i) nomination papers may be delivered by a candidate or any one of his proposers or seconders to the undersigned at his office in Room No. 29, Ground Floor, Parliament House, New Delhi, or if he is unavoidably absent, to Shri S. S. Bhalerao, Assistant Returning Officer and Joint Secretary, Rajya Sabha Secretariat, at the said office between 11 a.m. and 3 p.m. on any day (other than a public holiday) not later than the 30th July 1974;

(ii) each nomination paper shall be accompanied by a certified copy of the entry relating to the candidate in the electoral roll for the Parliamentary constituency in which the candidate is registered as an elector;

(iii) every candidate shall deposit or cause to be deposited a sum of rupees two thousand five hundred only. This amount may be deposited in cash with the Returning Officer at the time of presentation of the nomination paper or deposited earlier in the Reserve Bank of India or in a Government Treasury and in the latter case a receipt showing that the said deposit of the sum has been so made is required to be enclosed with the nomination paper;

(iv) forms of nomination papers may be obtained from the above said office at the times aforesaid;

(v) the nomination papers, other than those rejected under sub-section (4) of section 5B of the Act, will be taken up for scrutiny at the said office in Room No. 29, Ground Floor, Parliament House, New Delhi, on Wednesday, the 31st July 1974, at 11 a.m.;

(vi) the notice of withdrawal of candidatures may be delivered by a candidate, or any one of his proposers or seconders who has been authorised in this behalf in writing by the candidate, to the undersigned at the place specified in paragraph (i) above before 3 o'clock in the afternoon of Friday, the 2nd August 1974;

(vii) in the event of the election being contested, the poll will be taken on Saturday, the 17th August 1974, between the hours from 10 a.m. to 5 p.m. both inclusive, at the places of polling fixed under the rules.

B. N. BANERJEE,
Returning Officer for the Presidential Election
and Secretary-General, Rajya Sabha.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Parliamentary Affairs

NOTIFICATION

No. 178-P.A.—16th July 1974.—The following notification by the Secretary to the Governor of West Bengal is hereby published for general informaton :

"NOTIFICATION

No. 2771-S.—12th July 1974.—The President has assented to the Prevention of Adulteration of Food, Drugs and Cosmetics (West Bengal Amendment) Amending Bill, 1974.

P. K. SARKAR,
Secretary to the Governor, West Bengal."

By order of the Governor,
S. DATTA,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

DARJEELING.—No. 13072-L. A./1G-7/74.—13th July 1974.—Whereas ·0546 of a hectare (0·135 acre), more or less, of land situated in or near the village of Siliguri described below has been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of maintaining supplies and services essential to the life of the community, namely, for establishment of Government Food Godown ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Ben. Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Darjeeling.

Description of the land

Mauza Siliguri, jurisdiction list No. 88, police-station Siliguri, district Darjeeling.

Cadastral survey plots in full—6518, 6519, 6520.

Cadastral survey plot in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
6644	South-eastern	..	·020	00809

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the govt. of West Bengal.

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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 1721-L.—16th July, 1974.—The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information:—

West Bengal Act XXXIV of 1974

THE PREVENTION OF ADULTERATION OF FOOD, DRUGS AND COSMETICS (WEST BENGAL AMENDMENT) AMENDING ACT, 1974.

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary,* of the 16th July, 1974.]

An Act to amend the Prevention of Adulteration of Food, Drugs and Cosmetics (West Bengal Amendment) Act, 1973.

WHEREAS it is expedient to amend the Prevention of Adulteration of Food, Drugs and Cosmetics (West Bengal Amendment) Act, 1973, for the purposes and in the manner hereinafter appearing; West Ben. Act XLII of 1973.

It is hereby enacted in the Twenty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title.

1. This Act may be called the Prevention of Adulteration of Food, Drugs and Cosmetics (West Bengal Amendment) Amending Act, 1974.

Amendment of the long title of West Ben. Act XLII of 1973.

2. In the long title of the Prevention of Adulteration of Food, Drugs and Cosmetics (West Bengal Amendment) Act, 1973 (hereinafter referred to as the said Act), for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be, and shall be deemed always to have been, substituted.

Amendment of the preamble.

3. In the preamble of the said Act, for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be, and shall be deemed always to have been, substituted. 5 of 1898. 2 of 1974.

Amendment of section 2

4. In section 2 of the said Act, for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be, and shall be deemed always to have been, substituted.

The Prevention of Adulteration of Food, Drugs and Cosmetics (West Bengal Amendment) Amending Act, 1974.

(*Section 5.*)

Substitution of new section for section 4.

5. For section 4 of the said Act, the following section shall be, and shall be deemed always to have been, substituted, namely:—

'Amendment of the First Schedule to Act 2 of 1974.

4. In the First Schedule to the Code of Criminal Procedure, 1973, for the existing entries against sections 272, 273, 274, 275 and 276, the following entries shall be substituted in columns 2, 3, 4, 5 and 6, respectively, namely:—

"Adulterating food or drink intended for sale, so as to make the same noxious.	Imprisonment for life with or without fine.	Cognizable.	Non-bailable.	Court of Session.
Selling any food or drink as food or drink, knowing the same to be noxious.	Ditto	Ditto	Ditto	Ditto
Adulterating any drug or medical preparation intended for sale so as to lessen its efficacy, or to change its operation, or to make it noxious.	Ditto	Ditto	Ditto	Ditto
Offering for sale or issuing from a dispensary any drug or medical preparation known to have been adulterated.	Ditto	Ditto	Ditto	Ditto
Knowingly selling or issuing from a dispensary any drug or medical preparation as a different drug or medical preparation.	Ditto	Ditto	Ditto	Ditto".'.

By order of the Governor,

K. K. MOITRA,

Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4371F.T.—15th July 1974.—In exercise of the power conferred by section 26 of the Bengal Finance (Sales Tax) Act, 1941 (Bengal Act VI of 1941), the Governor is pleased to make, with effect from the 20th day of April 1974, the following amendments in the Bengal Sales Tax Rules, 1941, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendments

In the said rules—

(i) in rule 3, in clause (4), in the proviso to sub-clause (i), for the words "and surcharge", substitute the words ", surcharge and additional surcharge";

(ii) in rule 13, for the words "and surcharge" wherever they occur, substitute the words ", surcharge and additional surcharge";

(iii) in rule 27AA, in clause (c) of sub-rule (2), for the words "and surcharge" wherever they occur, substitute the words ", surcharge and additional surcharge";

(iv) after rule 29, for the heading **"Payment of tax and surcharge"**, substitute the heading **"Payment of tax, surcharge and additional surcharge"**;

(v) in rule 38, in sub-rule (1). for the word "surcharge", wherever it occurs, substitute the words "surcharge, additional surcharge";

(vi) in rule 48A, for the words "and surcharge", wherever they occur, substitute the words ", surcharge and additional surcharge";

(vii) after rule 48A in the heading for the word "surcharge", substitute the words "surcharge, additional surcharge";

(viii) in rule 51, for the words "and surcharge", substitute the words ", surcharge and additional surcharge";

(ix) in rule 54, for the words "surcharge thereon", substitute the words "surcharge and additional surcharge thereon";

(x) in rule 56, for the word "surcharge", wherever it occurs, substitute the words "surcharge, additional surcharge";

(xi) in rule 56A, for the word "surcharge", wherever it occurs, substitute the words "surcharge, additional surcharge";

(xii) in rule 57, for the word "surcharge", substitute the words "surcharge, additional surcharge";

(xiii) after rule 58, in the heading for the word "surcharge", substitute the words "surcharge, additional surcharge";

(xiv) in rule 59, for the word "surcharge", substitute the words "surcharge, additional surcharge";

(xv) in rule 71, in the entry in the third column under the heading "Description of Power",—

(a) against serial No. 5, for the word "surcharge", wherever it occurs, substitute the words "surcharge, additional surcharge", and

(b) against serial No. 6, for the word "surcharge", substitute the words "surcharge, additional surcharge";

(xvi) in rule 76—

(a) in clause (i), in item (e), for the words "and surcharge", substitute the words ",surcharge and additional surcharge", and

(b) in clause (iii), in item (a), for the words "and surcharge", substitute the words ," surcharge and additional surcharge";

(xvii) in rule 80B, for the words "and surcharge", substitute the words ",surcharge and additional surcharge";

(xviii) renumber rule 88A as sub-rule (1) of rule 88A and after sub-rule (1) so numbered, add the following sub-rule, namely :

"(2) Notwithstanding the amendments made in forms IIA, IIB, III, IIIA, V, VI, VII, XXI, XXII, XXVII, XXVIII and XXIX by notification No. 1415F.T., dated the 20th April, 1974 and No. 4371F.T., dated the 15th July, 1974, such forms as they stood before such amendment may be used for the purposes for which they were being used, in respect of any period prior to the coming-into force of section 2 of the West Bengal Taxation Laws (Amendment) Act, 1974 (West Ben. Act XXVI of 1974).";

(xix) in form IIA and form IIB for the words "and surcharge", substitute the words ", surcharge and additional surcharge";

(xx) in form V—

(a) for the words "sales tax and surcharge annually payable by you are estimated to be Rs..... (in figures) (Rupees.....) (in words) and Rs..... (in figures) (Rupees.....) (in words) respectively", substitute the words "sales tax, surcharge and additional surcharge annually payable by you are estimated to be for Rs..... (in figures) (Rupees.....), (in words) Rs..... (in figures) (Rupees..... (in words) and Rs..... (in figures)) (Rupees.....) (in words) respectively",

(b) after the words "(Rupees.....) (in words) as tax and surcharge respectively", insert the words "and instalments for *Rs..... (in figures) (Rupees.....) (in words) Rs..... (in figures)

(Rupees.....) and Rs.....
(in words) (in figures)
(Rupees.....) as additional surcharge",
(in words)

(c) for the words "payment of tax and surcharge", substitute the words "payment of tax, surcharge and additional surcharge",

(d) add the following words at the end, namely :
"*strike out portions not applicable";

(xxi) in form VI, in item (c), for the words "and surcharge", substitute the words ", surcharge and additional surcharge";

(xxii) in form VII—

(a) after the words and figures "surcharge amounting to Rs.....
(in figures)
(Rupees.....) (1)(ii)",
(in words)
insert the words and figures "and additional surcharge amounting to Rs.....(Rupees.....) (1) (iii)",
(in figures) (in words)

(b) for the following words and figures , namely :

		Rs. P.
"(1) (i) Tax payable	..	.....
(ii) Surcharge payable	..	.....
(2) Penalty under section 11(1)		.....
Total	..	

		Rs. P.
Less (i) Tax paid ..	..	.....
(ii) Surcharge paid	..	.....
(iii) Penalty paid	..	.....
Due (i) Tax ..	..	.....
(ii) Surcharge ..	..	.....
(iii) Penalty ..	..	.....
Excess paid (i) Tax	..	.....
(ii) Surcharge	..	.....
(iii) Penalty ..	..	.. ..

substitute the following words and figures, namely :

		Rs. P.
"(1) (i) Tax payable	..	.....
(ii) Surcharge payable	..	.....
(iii) Additional surcharge payable		.....
(2) Penalty under section 11(1)		.....
Total	..	

Rs. P.

Less—(i) Tax paid .. ..

(ii) Surcharge paid .. ..

(iii) Additioal surcharge paid .....

(iv) Penalty paid .. ..

Due—(i) Tax .. ..

(ii) Surcharge .. ..

(iii) Additional surcharge .. ..

(iv) Penalty .. ..

Excess paid (i) Tax .. ..

(ii) Surcharge .. ..

(iii) Additional surcharge .. ..

(iv) Penalty .. ..";

(xxiii) in Forms XXI and XXII,—

(a) in item (d), for the words and figures—

"(i) Amount of tax assessed .....

(ii) Amount of surcharge assessed .....

(iii) Amount of penalty imposed .....",

substitute the following words and figures, namely:

"(i) Amount of tax assessed .....

(ii) Amount of surcharge assessed .....

(iii) Amount of additional surcharge assessed .....

(iv) Amount of penalty imposed .....",

(b) in item (e), for the words and figures,—

"(i) Amount of tax admitted .....

(ii) Amount of surcharge admitted ..... ",

substitute the following words and figures, namely;

"(i) Amount of tax admitted .....

(ii) Amount of surcharge admitted .....

(iii) Amount of additional surcharge admitted .....",

(c) in item (f), for the words and figures—

"(i) Amount of tax in dispute .....

(ii) Amount of surcharge in dispute .. ..",

substitute the following words and figures, namely:

"(i) Amount of tax in dispute .....

(ii) Amount of surcharge in dispute .....

(iii) Amount of additional surcharge in dispute .....",

(d) in item 5, for the words "and surcharge", substitute the words—

", surcharge and additional surcharge",

(e) in item 10, for the words "and surcharge", substitute the words—

", surcharge and additional surcharge",

(f) in the entry under the sub-heading "verification", for the words "and surcharge", substitute the words—

", surcharge and additional surcharge";

(xxiv) in form XXVII,—

(a) after item 8C, insert the following item, namely :

"8D. Additional surcharge payable under section 6A, if applicable",

(b) in item 9, after the words "Surcharge paid.....", insert the words "Additional surcharge paid.....";

(xxv) in form XXVIII,—

(a) after the words and figures "surcharge amounting to Rs..... (in words) (Rupees.....) 1(ii)", insert the words and figures (in figures) "and additional surcharge amounting to Rs..... (in words) (Rupees.....)1(iii)", (in figures)

(b) for the following words and figures, namely :

"(1) (i) Tax payable .....

(ii) Surcharge payable .....

(2) (i) Penalty under section 11(1) .....

(ii) Penalty under section 11(4B) .....

(iii) Penalty under section 5A(1)/5B(1)/20A(1) .....

Total .....

Less—(i) Tax paid .....

(ii) Surcharge paid .....

(iii) Penalty paid .....

Total ..

Due—(i) Tax .....

(ii) Surcharge .....

(iii) Penalty .....

Excess paid—(i) Tax .....

(ii) Surcharge .....

(iii) Penalty .....",

substitute the following words and figures, namely :

"(1) (i) Tax payable .....

(ii) Surcharge payable .....

(iii) Additional surcharge payable .....

(2) (i) Penalty under section 11(1) .....

(ii) Penalty under section 11(4B) .....

(iii) Penalty under section 5A(1)/5B(1)/20A(1) .....

Total ..

Less—(i) Tax paid .....

(ii) Surcharge paid .....

(iii) Additional surcharge paid .....

(iv) Penalty paid .....

Total ..

Due—(i) Tax .....

(ii) Surcharge .....

(iii) Additional surcharge .....

(iv) Penalty .....

Excess paid—(i) Tax .....

(ii) Surcharge .....

(iii) Additional surcharge .....

(iv) Penalty .....";

(xxvi) in form XXIX, for the words "and surcharge", substitute the words ", surcharge and additional surcharge".

By order of the Governor,

K. BANERJEE,

Dy. Secy. to the Govt of West Bengal.

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ASADHA 25] TUESDAY, JULY 16, 1974 [SAKA 1896

PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

RESOLUTION

No. 5798-P.—15th July 1974.—Whereas it has been decided to instal commemorative stones in Calcutta and the Community Development Blocks with names of martyrs and freedom fighters of the area inscribed thereon as a part of the 25th Independence Jayanti Programme;

And whereas the question of setting up a Committee for preparing lists of martyrs and freedom fighters of Calcutta area and also for finalising sites in Calcutta where commemorative stones are to be installed has for sometime past been under the consideration of Government;

Now, therefore, the Governor is pleased to direct that the State Advisory Committee constituted under the Home (Political) Department Resolution No. 5369-P., dated the 18th June 1973, published in "Calcutta Gazette, Extraordinary", dated the 18th June 1973, shall, in addition to the functions enumerated in the terms of reference included in the said Resolution, have the following further functions, namely;—

(a) The Committee will select the names of martyrs and freedom fighters of Calcutta area for inscription on commemorative stones, taking into consideration the cases which have already been verified.

(b) The Committee will finalise the sites in Calcutta where commemorative stones are to be installed.

The Committee will make appropriate recommendations to the Government of West Bengal in the Home (Political) Department in the light of its findings.

The Committee will devise its own procedure and may call for such information and take such evidence as it may consider necessary.

Order

Ordered that the Resolution be published in the "Calcutta Gazette" for general information.

Ordered also that a copy of the Resolution be forwarded to all the Members of the Committee and to all Departments of this Government for information.

By order of the Governor,

B. R. GUPTA,

Chief Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 3372/MIM-54/74.—15th July 1974.—Whereas in the opinion of the Governor the affairs of the Berhampore Municipality in the district of Murshidabad are not properly managed;

And whereas the Governor is further of the opinion that it is desirable in the public interest to appoint an Executive Officer to carry on the administration of the said Municipality;

Now, therefore in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased hereby to declare that the said Municipality shall have an Executive Officer for a period of six months with effect from the date on which the Executive Officer may assume charge of his office.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased to hereby appoint the B.D.O., Berhampore, to be the Executive Officer of the Berhampore Municipality in addition to his own duties and to confer on the said Executive Officer—

(a) the powers of the said Chairman and the Commisioners exercisable, whether at a meeting or otherwise, under section 66 of the said Act and all powers of the said Chairman and Commissioners under the Act and the rules made thereunder relating to the creation of posts, appointment, duties, leave, disciplinary action including fining, suspension and removal, of Municipal Officers and servants employed or required in connection with the exercise of the powers and performance of the duties conferred on the said Executive Officer under clause (b);

(b) the powers and duties of the Chairman and of the Commissioners of the said Municipality exercisable, whether at a meeting or otherwise, under sections 77 and 93 of Chapter III, Chapter IV, sections 122B and 122F of Chapter IVA, Chapter V to Chapter XV, Chapter XVII, Chapter XIX to Chapter XXII, Chapter XXIV, and Chapter XXV of the said Act; and

(c) the power of the said Chairman to sign cheques under the relevant rules framed under the said Act.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal.

No. 1307/L.S.-G.1C-248/73.—13th July 1974.—The following draft of an amendment which, in exercise of the power conferred by sub-section (2) of section 82 of the Calcutta Municipal Act, 1951 (West Bengal Act XXXIII of 1951), the Governor proposes to make in Calcutta Municipal Service Commission Rules, 1953, published with this Department Notification No. 680/M.3R-6/53, dated the 20th January 1954, at pages 51-56 of Part I of the "Calcutta Gazette, Extraordinary" of the 22nd January 1954, as subsequently amended (hereinafter referred to as the said rules), is hereby published as required by sub-section (1) of section 533 of the said Act for the information of persons likely to be affected thereby.

2. The draft will be taken into consideration on or after the 17th August 1974, and any objection or suggestion in respect thereto which may be received by the undersigned before that date will be duly consideded.

Draft Amendment

In the Schedule to the said rules, in the third column under the heading, "scale of pay and allowances", for the existing entries against, serial No. 2, the following entries shall be substituted and shall be deemed always to have been substituted on and from the 1st January 1974:—

"Rs. 600—25—650—35—1000 plus special pay of Rs. 50 per month and allowances as admissible to similar employees of the State Government".

By order of the Governor,

H. DAS GUPTA,

Spl. Officer & ex-officio Dy. Secy.

to the Govt. of West Bengal.

No. 3376/MIM-91/73.—16th July 1974.—Whereas Government in their Notification No. 3135/MIM-41/71, dated 27th June 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Kamarhati Municipality in the district of 24-Parganas shall have an Executive Officer for a period up to the 31st December 1972 from the date on which the Executive Officer assumes charge of his office;

And whereas in Notification No. 5442/MIM-41/71, dated the 21st December 1972, No. 2198/MIM-41/71, dated 28th June 1973, and No. 69/MIM-91/73 Part II, dated 10th January 1974, the said period of appointment was extended up to the 15th July 1974;

And whereas in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri R. K. Maitra, Deputy Magistrate and Deputy Collector, Barasat, shall continue as the Executive Officer of the Kamarhati Municipality in addition to his own duties, till he is relieved by another officer during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 2170/MIM-91/73, dated the 30th May 1974.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative)

The following Act of Parliament received the assent of the President on the 27th March, 1974, and is hereby published for general information:—

THE ECONOMIC OFFENCES (INAPPLICABILITY OF LIMITATION) ACT, 1974

(No. 12 of 1974)

[27th March, 1974.]

An Act to provide for the inapplicability of the provisions of Chapter XXXVI of the Code of Criminal Procedure, 1973 to certain economic offences.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title extent and commencement.

1. (*1*) This Act may be called the Economic Offences (Inapplicability of Limitation) Act, 1974.

(*2*) It extends to the territories to which the Code of Criminal Procedure, 1973 applies. 2 of 1974.

(*3*) It shall come into force on the 1st day of April, 1974.

Chapter XXXVI of the Code of Criminal Procedure, 1973 not to apply to certain offences.

2. Nothing in Chapter XXXVI of the Code of Criminal Procedure, 1973 shall apply to— 2 of 1974

(*i*) any offence punishable under any of the enactments specified in the Schedule; or

(*ii*) any other offence, which under the provisions of that Code, may be tried along with such offence,

and every offence referred to in clause (*i*) or clause (*ii*) may be taken cognizance of by the Court having jurisdiction as if the provisions of that Chapter were not enacted.

THE SCHEDULE

(*See* section 2)

1. The Indian Income-tax Act, 1922 (11 of 1922).
2. The Income-tax Act, 1961 (43 of 1961).
3. The Companies (Profits) Surtax Act, 1964 (7 of 1964).
4. The Wealth-tax Act, 1957 (27 of 1957).
5. The Gift-tax Act, 1958 (18 of 1958).
6. The Central Sales Tax Act, 1956 (74 of 1956).
7. The Central Excises and Salt Act, 1944 (1 of 1944).
8. The Medicinal and Toilet Preparations (Excise Duties) Act, 1955 (16 of 1955).
9. The Customs Act, 1962 (52 of 1962).
10. The Gold (Control) Act, 1968 (45 of 1968).
11. The Imports and Exports (Control) Act, 1947 (18 of 1947).
12. The Foreign Exchange Regulation Act, 1947 (7 of 1947).
13. The Foreign Exchange Regulation Act, 1973 (46 of 1973).
14. The Capital Issues (Control) Act, 1947 (29 of 1947).
15. The Indian Stamp Act, 1899 (2 of 1899).
16. The Emergency Risks (Goods) Insurance Act, 1962 (62 of 1962).
17. The Emergency Risks (Factories) Insurance Act, 1962 (63 of 1962).
18. The Emergency Risks (Goods) Insurance Act, 1971 (50 of 1971).
19. The Emergency Risks (Undertakings) Insurance Act, 1971 (51 of 1971).
20. The General Insurance Business (Nationalisation) Act, 1972 (57 of 1972).

Shri K. K. SUNDARAM.
Secy. to the Govt. of India.

The following Act of Parliament received the assent of the President on the 27th March, 1974, and is hereby published for general information:—

THE GUJARAT STATE LEGISLATURE (DELEGATION OF POWERS) ACT, 1974

(No. 11 of 1974)

[27th March, 1974.]

An Act to confer on the President the power of the Legislature of the State of Gujarat to make laws.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Gujarat State Legislature (Delegation of Powers) Act, 1974. **Short title**

2. In this Act, "Proclamation" means the Proclamation issued on the 9th day of February, 1974, under article 356 of the Constitution, by the President, and published with the notification of the Government of India in the Ministry of Home Affairs No. G.S.R. 34(E) of the said date. **Definition.**

3. (*1*) The power of the Legislature of the State of Gujarat to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of Parliament, is hereby conferred on the President. **Conferment on the President of the power of the State Legislature to make laws.**

(*2*) In the exercise of the said power, the President may, from time to time, whether Parliament is or is not in session, enact, as a President's Act, a Bill containing such provisions as he considers necessary:

Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a committee constituted for the purpose, consisting of thirty-four members of the House of the People nominated by the Speaker and seventeen members of the Council of States nominated by the Chairman.

(*3*) Every Act enacted by the President under sub-section (*2*) shall, as soon as may be after enactment, be laid before each House of Parliament.

(*4*) Either House of Parliament may, by resolution passed within thirty days from the date on which the Act has been laid before it under sub-section (*3*), which period may be comprised in one session or in two successive sessions, direct any modifications to be made in the Act and if the modifications are agreed to by the other House of Parliament during the session in which the Act has been so laid before it or the session succeeding, such modifications shall be given effect to by the President by enacting an amending Act under sub-section (*2*):

Provided that nothing in this sub-section shall affect the validity of the Act or of any action taken thereunder before it is so amended.

Shri K. K. SUNDARAM,
Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 3374/M2A-32/74Pt. I -16th July 1974.—Whereas Government in this Notification No. 5039/M3P-34/71, dated the 2nd September 1971, published at page 1674C of Pt. I of the "Calcutta Gazette, Extraordinary", of the 2nd September, 1971, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Panihati Municipality in the district of 24-Parganas shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas, in Notification No. 764/M2A-42/71(Pt.I), dated the 6th March 1972, No. 3008/M2A-42 71 (Pt. I), dated the 13th June 1972, No. 5244/M2A-42/71, Pt.I, dated the 30th November 1972, No. 691/M2A-42/71, Pt. I, dated the 28th February 1973, No. 3166/M2A-42/71, dated the 29th August 1973, and No. 614/M2A-32/74, Pt. I, dated the 12th March 1974, the said period of appointment was extended up to the 31st July 1974.

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (I) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of

1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred bv sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Anil Kumar Ghosh, Special Officer, Grade 1, under the Department of Municipal Services, shall continue as the Executive Officer of the Panihati Municipality during this extended period or until further orders, whichever is earlier, and that during this period the Executive Officer shall exercise and perform the powers and the duties conferred and imposed upon him by Notification No. 938/M2A-42/71, Pt. I, dated the 15th March 1973 .

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

ERRATUM

HOWRAH.—No. 13270L.A. (II)/4B-24/67.—16th July 1974.—In Declaration No. 17006-LA (II)/4B-24/67, dated 7th September 1973, under section 6 of the Act I of 1894 published at page 1715, Part I of the "Calcutta Gazette" of 27th September 1973, relating to acquisition of land for the expansion of Salkia Telephone Exchange Building in Ward No. 3 of the Howrah Municipality in the town of Howrah, police-station Golabari, district Howrah—

Read the word "holding" in place of the word "plot" in line 23; Delete the words "in full" after the word "southern" in line 27. Delete the word "southern" in lines 28, 29, 30, 31, 32 and 33.

By order of the Governor,
S. GHOSH,
Spl. Officer & Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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Part II—Advertisements, Notices

THE COMMISSIONERS FOR THE PORT OF CALCUTTA

Notice for sale under sections 118 and 119 of the Calcutta Port Act III of 1890

NOTICE is hereby given that the liability of the Commissioners for the undernoted goods ex the undernoted vessels has in terms of section 113(2) of the abovementioned Act ceased on the expiration of five clear days from the date of landing. These goods, accordingly, remain on the Port Commissioners premises at the sole risk and expense of the owners and if not cleared on or before the 17th August 1974 on payment of all charges due will be sold by Public Auction on the 19th, 20th, 21st, 22nd, 23rd and 24th August 1974 commencing daily at 10 a. m. at No. 5 Calcutta Jetty.

Lots marked with asterisks were previously withdrawn and would not be withdrawn any more. Each asterisk indicates one withdrawal. No withdrawal will be allowed later than one week after publication of this notice.

Lots will be ready for inspection as per Schedule below :

(1) At No. 5 Calcutta Jetty (South Compt.) on 12th and 13th August 1974 between 11-30 hours and 15-30 hours.

(2) At No. 5 Calcutta Jetty (North Compt.), Wine Godown, Hazardous Godown Jetty and all other points in Calcutta Jetties on 14th August 1974 between 09-30 hours and 15-30 hours.

(3) At all points in K. P. Docks I and II on 16th August 1974 between 09-30 hours and 15-30 hours.

(4) At all points in N. S. Docks (K.G.D.), G. R. Jetty, Budge Budge and Mayapur Magazine on 17th August 1974 between 09-30 hours and 15-30 hours.

Steamer's name	Date of landing	Marks and number	Quantity and description
Makeverett 850-69, 12.	21st November 1969 ..	Mazda Spare Parts Krishna Dunja A0-0676, Kathmandu.	**********3 Cases M. V. Parts 46 Kgs.
Jaladharma 836-68, 4.	27th October 1968 ..	Hindustan Motors Ltd.	**********1 Case Gear cutting.
Vishva Pratap 521-71, 18.	21st August 1971 ..	Addressed S9065 .. .. .. [Jay Kumaon, Hyderabad].	*********1 Case Dry Copier.
Mawana 351-70, 462.	17th June 1970 ..	E.E.P.C. Calcutta	**********22 Cases various loose articles.
Cellina 454-71, 3.	30th July 1971 ..	T. P. L.	********* 3 Cases M. V. Parts.
Jalarajan 379-71, 219.	28th July 1971 ..	Johudew Rover Misc. 1-70 Calcutta ..	********1 Case.
Vishwa Sudha 340-71.	12th June 1971 ..	E.A.W.I.-034-1-1 E.C.E. Calcutta 9 Kali Prsanna Singha Road.	********1 Case machinery parts
Murray Everett .. 638-70, 14.	19th October 1970 ..	D. R. Co. Calcutta	********1 Bundle Coil.
Vishwa Seva .. 694-71, 92.	10th November 1971 ..	A T C 6-1267 Int. to Nepal.	********14 Cartons and 1 pkg.
Monoloverett 519-71, 86.	15th April 1971 ..	Handloom Silk House (P) Ltd. MFRS of Handloom, Kathmandu, Nepal.	********1 Package.
A. Maru 222-71, 15.	15th February 1972 ..	National Trading Ltd., Tekuk, Kathmandu, Nepal.	********3 Packages picture postcard.
Krishna Jyoti 660-71, 27.	16th October 1971 ..	Toyokogya Scooteaway System O-N. Swy-1-70 Kathmandu.	*******1 Case.
Monoloverett 783-71, 207.	4th December 1971 ..	DB 2699-C Calcutta	*******1 Case.
Gwardwa Ludwa 303-72, 27.	15th May 1972 ..	HMVE [DSS-3219] Calcutta	******18 Cases.
Jaladharati 142-72, U-M.	25th March 1972 ..	Nil	******1 Case.
Vishva Kalyan 738-71, 36.	5th November 1971 ..	SEE New Delhi via Calcutta	******2 Cases.
Buru Barg 522-71, 99.	2nd September 1971 ..	501-69-402 Joynagar, Janakpurdham, Nepal ..	******1 Case.
Jalakala 94-72, U-M.	27th February 1972 ..	The Joint Manager for World Mission Relief Organisation, C/o. Karol Houghton, 2 Madavakam Tank Road, Kilpank, Madrass 10	******1 Drum.
Jalaveera 458-71, U-M.	3rd August 1971 ..	Nil	******A quantity of loose books
U-C		Nil or Watts 602-45-M4-444150	*******2 Pieces.
Lovoen 507-72, 14.	9th August 1972 ..	[DCB-534/E] Calcutta	*****2 Cases.
LOVGEN 507/72, U/M.	9th August 1972 ..	O. Ferinpath, Calcutta	*****1 Piece.
Vishva Sandesh 687/70, 1.	24th September 1971 ..	Ispat PH/FOB(10)-68 656 Dhanbad, Bihar, India.	***1 Carton.

Steamer's name	Date of landing	Marks and number	Quantity and description
Mahout 154/72, 164.	20th March 1972 ..	Fairmoes SS Calcutta	*****1 Case.
Mahout 154/72, 205/8.	20th March 1972 ..	F.T. 13022	*****3 Cartons.
Exchester 83/72, 91.	19th February 1972 ..	MEPPL 926 Calcutta	*****1 Case.
Golden City 528/71, U-M.	3rd July 1971 ..	Nil	*******1 Packet.
Vishva Kalyan 818/69, 85.	6th November 1969 ..	H.K.A. Calcutta	*******20 Bales.
Makalla 419/67, 237.	....	U.I. S.C. 10451-9/992	*******8 Packages.
Vishva Prem 741/71, U-M.	16th November 1971 ..	Nil	*******42 Gunny bags.
A. & J. Murray 442/64, U-M.	14th April 1964 ..	Nil	*******1 Package.
Jag Jiwan 329/67, 1.	....	Blue 3 or Nil	******1 Piece.
Treneglos 242/72, 220.	21st April 1972 ..	India Metropolitan Trading Co.	******1 Case.
Vishva Kaushal 172/72, 42.	21st March 1972 ..	OSA-251R-BRBDA Calcutta, India ..	***2 Cases.
Vishva Sandesh 581/71, 7.	23rd September 1971 ..	Dunbar Mill Post Box No. 21	****1 Carton.
Indian Renown 214/72, 53.	17th April 1972 ..	Philips, Calcutta	****3 Cartons.
Vishva Vijoy 297/71, 84.	18th May 1971 ..	N64/088753 or Nil	****2 Cases.
C-o. Dundee 372/72, 167.	19th June 1972 ..	ABMEL F317 Kant RVN 524 Calcutta ..	****1 Case.
Steel Traveller 444/71, 54.	31st July 1971 ..	Industrial J.B.M. 428/70/AID Calcutta SE 9932A	****2 Cases.
Indian Success 719/72, 95.	3rd November 1972 ..	IEL/KAN/E/131/118/367	****1 Case.
Jalagopal 513/72, U/M.	24th August 1972 ..	Nil	****2 Cartons.
Jalagopal 513/72, U-M.	24th August 1972 ..	SILO 6994	****2 Cartons.
S-o. Maharashtra 350/72, 299.	18th July 1972 ..	S. K. M. M. Ltd., Calcutta	****5 Cases.
C-o. Dundee 373/72, 118.	20th June 1972 ..	The National Grindlays Bank Ltd. Mint Road, Bombay via Calcutta.	****1 Case.
C-o. Dundee 372/72, 54.	9th June 1972 ..	KC/484/AC Calcutta	****15 Cases
Jalaganga 443/72, 95.	10th March 1972 ..	T [MCB/523] Calcutta.	****13 Cases

Steamer's name	Date of landing	Marks and number	Quantity and description
Oranian Burg 694/72, 81.	8th November 1972 ..	Hind Lamp Shikhobad Via Calcutta ..	****2 Cases.
Gandhi Jayanti 543/72, U-M.	30th September 1972 ..	Nil	****1 Bundle.
Kumrovee 616/72, 14.	4th October 1972 ..	E [ECB/545].	****21 Cases.
Kumrovee 616/72, U-M.	4th October 1972 ..	Nil	****1 Case.
Krishna Jayanti 126/72, 116.	20th March 1972 ..	ESAAR 34401 Int. to Nepal, Kathmandu ..	****1 Case.
Maipura 313/72, 292.	10th June 1972 ..	Assam-Calcutta D/1/982	****3 Cases.
C-o. Lancaster 575/72, 16.	10th June 1972 ..	Phipson, Calcutta	****8 Cases.
S/o. Lawrence 703/72, U/M.	4th November 1972 ..	Bonershi Road, Bhagalpur-2	****1 Case.
Jala Rashmi 213/72, U/M.	1st June 1972 ..	Nil	****1 Case.
Vishva Jayanti 750/70, U/M.	....	07295/77A or Nil	****4 Cases.
Indian Resource 668/70, 297.	4th November 1970 ..	IEL/M/477/1/183/Gumia Calcutta or Nil ..	****1 Carton.
Jalamurari 395/72, U/M.	20th July 1972 ..	Philips Calcutta 3021	****1 Case.
Stolzenfels 475/72, 138.	4th August 1972 ..	I.G.T. 26 Calcutta	****4 Cases.
Vishva Nidhi 418/72, 45.	10th July 1972 ..	STOSA or Nil	****3 Cases and 1 coil.
Jala Murari 395/72, U/M.	30th July 1972 ..	SPA 1295	****1 Carton.
Jalajamuna 555/72, U/M.	....	Nil	****2 Packages and 1 bag.
Jala Mokambi 737/72, U/M.	22nd November 1972	Nil	****1 Bale.
Toranto 700/72, 104/2.	31st October 1972 ..	B.K.D. Calcutta	****2 Cases.
Salaj 709/72.	14, 15, 16 ..	11C/Cal.	****8 Cases.
U/C	....	[BHAS] Broken [Special] Mill or Nil.	***18 Pieces.
C/o. Licesfiled 792/72, 12.	28th December 1972 ..	IEL/KAN/E/131/160/490/Kanpur Calcutta ..	***3 Cases.
Jalamati 853/72, U/M.	25th January 1973 ..	Nil	***1 Reel.
Jalamati 853/72, 195.	25th January 1973 ..	HMV Calcutta	***22 Cases.

Steamer's name	Date of landing	Marks and number	Quantity and description
S/o. Rajasthan 86/73, 173.	16th February 1973 ..	IEL/KAN/A/131/207/542 Kanpur, Calcutta ..	***2 Cases.
S/o. Rajasthan 86/73, 169.	16th February 1973 ..	IEL/KAN/E/131/172/404 Kanpur, Calcutta ..	***1 Case.
S/o. Rajasthan 86/73, 164.	16th February 1973 ..	IEL/KAN/E/191/165/E/191/164/695 ..	***1 Carton.
Jaladhir 832/70, U/M.	5th January 1973 ..	Goglan Gorsia, 4 Justice R. M. Road, Calcutta	***1 Case.
Jaladhir 832/72, 3.	5th January 1973 ..	Jocks 5137 C/1917/C Calcutta	***1 Case.
Jala Gouri 795/72, 57.	8th January 1973 ..	IEL/KAN/E/131/185/367 Kanpur ..	***1 Case.
Jala Gouri 795/72, 75.	9th January 1973 ..	R.D. Calcutta	***15 Cases.
Jala Gouri 795/72, 192.	9th January 1973 ..	Nil	***16 Cartons.
Jala Gouri 795/72, U/M.	9th January 1973 ..	Nil	***3 Bags.
U/C	.....	Tata Mercedes Beng Jamshedpur Via Calcutta DBM/431995/PA/2826/67.	***1 Package.
Vishva Nidhi 821/72, 202.	25th January 1972 ..	IEL D1/447/71 Calcutta	***3 Cases.
Jaladuhita 683/72, U/M.	17th December 1972 ..	Nil	***1 Carton.
Jala Mayur 114/72, 34.	6th March 1972 ..	Oxford Book Stationery Co., 17 Park Street, Calcutta.	***1 Carton.
Morshank 817/71, 48/47.	23rd December 1971 ..	64/044137	***1 Case.
Jala Girija 250/72, U/M.	28th April 1972 ..	Nil	***1 Carton.
C/o. Wellington 765/72, 10.	9th December 1972 ..	Ruttanji & Co., Calcutta	***2 Crates.
C/o. Wellington 765/72. 58.	9th December 1972 ..	Ruttanjee & Co., Calcutta	***2 Crates.
C/o. Worcester 21/73. 146.	23/24th January 1973 ..	C.I. Calcutta	***1 Cases.
C/o. Worcester 21/73, 147.	23/24th January 1973 ..	C.I. Calcutta	***1 Case.
Livinza 3/70, 15.	19th January 1971 ..	R.N.S.S. Harman, Delhi Via Calcutta ..	********4 Case
Jala Kirti 324/71, 428.	9th June 1971 ..	D.E.W. Calcutta	******1 Case.
Indian Renown 619/71, 255A.	10th October 1971 ..	NE C12150 Calcutta	****4 Cases.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Indian Trust 477/72, 27.	8th August 1972 ..	722/2075 Delhi/4/KP/72	***3 Cases.
Griffinfels 605/71, 11.	27th September 1971 ..	VKI [CAFG/223]	*******5 Cases.
S/o. Maharastra 731/71, 24.	11th November 1971 ..	Loncester B.H.P. Calcutta	*******1 Case.
Indian Exporter 10/72, 6.	24th January 1972 ..	75-VK Calcutta	******17 Cases Ball and Roller Bearing.
C/o. Delhi 82/71, 366.	18th February 1971 ..	Nil	**2 Crew packages.
Karanjeevie 901/71, U/M.	....	Nil	******2 Cases.
Gwarldesa Ludwa 697/72, 51.	4th November 1972 ..	A.K.D.C. 040 Calcutta	***1 Case.
Steel Flyer 729/69, 9.	14th October 1969 ..	Care N. Delhi Calcutta INDR-6608 or Nil ..	**2 Bales.
Singapore Maru 434/70, 42B.	27th June 1970 ..	AE Kathmandu, Nepal via Calcutta ..	******1 Case.
Indian Tribune 56/72, 163.	9th February 1972 ..	Mr. D. Suya Arch Bishop House, Park Street ..	****1 Tea chest.
Thomas Everett 679/71, 82.	23rd October 1971 ..	Yusuf 62/71, Let. B. Kathmandu	**1 Case.
Vishva Vir 498/72, 38.	6th October 1972 ..	KC 484 Primax Corpn. Calcutta	**15 Cases.
Maipura 313/72, 109.	10th June 1972 ..	Mayphil 3871/WC Calcutta	**1 Case.
Vishva Lalita 394/72, 58.	17th June 1972 ...	Datson Sri Hari Trading, Biratnagar, Nepal, Calcutta.	**2 Cases.
Olderkirk 272/72, 25.	11th May 1972 ..	HAHB 6468D/966 Calcutta	**2 Cases.
Geobrik 563/72, U/M.	18th September 1971 ..	Specially produce for National Trading Ltd. Kathmandu, Nepal.	**2 Cases.
Jalavishnu 353/71, 27.	6th December 1972 ..	[B.I.P.] Calcutta	**1 Carton.
C-o. Punjab 374/72, 22.	14th June 1972 ..	Industrial F576—1 Calcutta	**1 Pallet.
Chakdara 40/68.	10th February 1968 ...	LKG 11/9 Kathmandu, Calcutta	**2 Cases.
Jala Tarang 671/72, U/m.	2nd November 1972 ..	N. T. C. Ltd. Biratnagar Calcutta ..	**1 Case.
Vishva Kalyan 753/72, 106.	17th November 1972 ..	Harbans Singh Calcutta	**1 Case.
Tragutt 623/72, U/m.	6th October 1972 ..	NIL 944954	**1 Case.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Jalamati 46/73, 131.	5th January 1973	J. B. NW 65 Calcutta	**2 Cases.
Jalamati 853/72, 61.	5th January 1973	P. E. Calcutta	**26 Cases.
S-o Rajasthan 86/73, 147.	16th February 1973	HMV Calcutta	**21 Cases.
Congo Maru 376/71, 37.	31st May 1971	Jay-Kogyo Scooteaway System Sevy-1-70 Kathmandu.	**2 Cases.
Jala Girija 250/72, 421A.	28th April 1972	J. K. Calcutta	**7 Cases.
Jalakala 508/70, 8.	14th August 1970	WBM Kathmandu Nepal Calcutta	**1 Case.
Vishva Nidhi 309/71, 37.	27th May 1971	NIL	**1 Case.
C-o. Liechfield 298/73, 40.	28th May 1973	IEL/KAN/E/191/170/685 Kanpur Calcutta	1** Case.
Vishvavir 203/73, U/M	17th April 1973	NIL	1 Carton.
Murray Everett 299/73, 15.	14th May 1972	M. E. P. L. Cash/14 Calcutta	**13 cases.
Watchfels 174/68, 179.	20th March 1968	NIL	355** Pieces.
Vishva Pratibha 854/72, 58.	1st January 1973	[8126] Calcutta	**15 Cartons.
Dort Bank 628/72, 9.	9th October 1972	Bata Shoe Mokama	**2 Bags.
Jalaveera 771/72. 149.	11th December 1972	Dutta Cottage Industries, P. O. Box 2513. N. Delhi via Calcutta.	**2 Cases.
Jalamayur 210/73, U/m.	27th March 1973	Patel Volkart Ltd. 5/7 Netaji Subhas Road P. Box 71 Calcutta.	**1 Carton.
Vishva Kanti 146/73, 110.	22nd March 1973 (N)	Texmaco, Calcutta	**15 Carton.
Vishva Vhakti 325/73, 4.	31st May 1973	S. C. Das Surjuga Bhatgoria Haieladh P. O. Bhoga Dhanbad.	**1 Case and 1 Trunk.
Tweed Bank 185/73 60.	5th/10th April 1973	Misra Calcutta (Hand Mark)	**2 Cartons.
Lenino .. 62/73, U/m.	....	NIL	**1 Case.
Export Builder 262/73, 15.	30th April 1973	U. C. I. L. Calcutta CM/100071 R. E. P. L.	**2 Cartons.
Jalamatsya 169/73, 31.	....	A. A. T. Calcutta	**4 Cases.
Andaman C4/73, U/m.	3rd January 1973	S. C. I.	**2 Pieces.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Anna Maria 276/73, 111.	29th May 1973 ..	R. S. T. Window Glass 150502 Kalkutta ..	**1 Case.
C-o. Worcester 21/73, 141.	29th January 1973 ..	IEL/KAN/A/131/0/198/350 Kanpur Calcutta	**1 Case.
Stanislow Dubois .. 385/72,	4th July 1972 ..	NIL	*****1 Bundle.
Anton Makranko 440/71, 62.	17th August 1971 ..	45/2161R/29 41/008-7]	*2 Cases.
Jaladharati 255/70, 87.	3rd May 1970 ..	Shankar Hotel Oberai Lassampot Kathmandu Nepal.	*******1 Case.
Jaladharati 329/72, U-m.	1st June 1972 ..	NIL	*****2 Bags.
Murray Everett 253/72, 26.	19th April 1972 ..	55-4424 ESSOOR Calcutta Int to Nepal ..	**1 Case.
Indian Renown 214/72, 285.	17th April 1972 ..	P. K. Coll Kathmandu Calcutta	**1 Case.
Vishva Mahima 398/73, 4.	12th June 1973 ..	Indian Carpet Ltd 30, Chittaranjan Avenue (Tog Mark).	*1 Roll.
Jaladharati 142/72, U/m.	25th March 1972 ..	NIL	*4 Bags.
Jaladharati 142/72, U/m	25th March 1972 ..	NIL	*5 Bags.
Jalamangala 161/73, U/m.	2nd April 1973 ..	NIL	*41 Pieces and a qty. of Fire Bricks.
Lemino 302/73, U/m.	17th May 1973 ..	NIL	*2 Bags.
Vishva Kalyan 482/73, 81.	27th July 1973 ..	Kishin J. Purari	*1 Crate.
Indian Renown 265/73, 196.	26th April 1973 ..	Continental Sales Emporium Yusuf Sarai New Delhi 16.	*1 Case.
Jala Gouri 483/73, 128.	11th September 1973 ..	Number Miller & Co. Calcutta	*1 Carton.
Jala Gouri 483/73, 409.	11th Septembe 1973 ..	Dunbar Mills Ltd. 21 Strand Road Calcutta Order No. 66015.	*1 Carton.
Oranian Burg .. 694/72, 66.	28th October 1972 ..	MMG/SS Calcutta	*1 Case.
Oranian Burg 694/72, 81.	28th October 1972 ..	Hind Lamp Shikahabad via Calcutta ..	*1 Case.
Vishva Kanti .. 588/72, 96.	12th September 1972 ..	Noble Electric Lamp Works Shikhobad 35/1C, Belgachia Road Calcutta.	*1 Carton.
Jalapankhi 366/73.	155	B. E. S. Calcutta	*14 Cases.
Platan 417/73, 70.	11th July 1973 ..	A.P.B.-6233 IARC 049/72. S. C Calcutta ..	*4 Cases.
Platan 417/73, 330.	11th July 1973 ..	APB-6670 IARC-049D-72 S C Calcutta ..	*1 Case.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Francis Nullo 699/71, U/m.	31st October 1971	.. Muratate of Potash AED (Nepal) Int to Nepal	*11 Bundles.
M. Everett 432/71, 90.	28th July 1971	.. Mr. Jessop Bespar Achutust Bhatli Rai Kathmandu via Calcutta.	*1 Case.
Vishva Pratibha 337/73, 14.	26th May 1973	.. Shree Shugadhal Sharina C/o P. O. Boxes 490, Kathmandu Nepal.	*1 Case.
Exford 386/73, 138.	4th July 1973	.. Thermal Calcutta India P.I.B. M-18 ..	*1 Case.
Ingleton 671/69, U/m.	8th January 1970	.. M 9080/60/F IF63 C L Bombay ..	*5 Package
Zone Kerk 125/73, U/m.	5th March 1973	.. NIL	*3 Cartons.
Camingoy 427/73, 10	30th June 1973	.. Hospital a/c Vijana Production Pvt. Ltd ARCOT Road Madras-26 India.	*1 Case.
Samon 363/73, 8.	....	75 K B Calcutta	*14 Cases.
Ernst Schneller 516/73.	28th August 1973	Hind Lamp Shikhobad via Calcutta ..	*1 Case.
Ernst Schneeler 516/73, 9.	28th August 1973	.. S. K. Sen & Sons Pvt. Ltd. 1, Middleton Street Cal-16.	*1 Package.
Mombassa 585/72, 130.	21st September 1972	.. J. M. V. 36320 Calcutta	*1 Case.
Rama Jayanti 142/73,	9th April 1973	.. NIL	*1 Bag.
C/o. St. Albanas 353/73, 40.	5th June 1973	.. C. S. E. New Delhi via Calcutta	*2 Cartons.
C/o. St. Albanas 353/73, 87.	4th June 1973	.. IEL/KAN/A/191/088/089/627 Kanpur via Calcutta.	*1 Case.
C/o. St. Albanas 353/73, 73.	5th June 1973	IEL/KAN/1/191/205/884	*1 Case.
C/o. St. Albanas 353/73, 71.	4th June 1973	.. IEL/KAN/1/191/237/856 Kanpur Calcutta ..	*1 Case.
Alaphankhi 366/73, 82.	24th June 1973	.. Phipson Calcutta	*5 Cases.
Alaphankhi 366/73, 230.	25th June 1973	.. T. P. L. 573/VAP	*2 Cartons.
Alaphankhi 366/73, 203.	25th June 1973	TPL 573/VAP Calcutta	*3 Cartons.
Avenfols 320/73, U/m.	3rd June 1973	.. NIL	*2 Cartons.
Indian Tradition 494/73, 164.	17th August 1973	.. K & R 37184 Calcutta	*1 Case.
Indian Tradition 494/73, 79.	....	S[KIW P420]I Calcutta	*4 Packages.
Indian Tradition 494/73,	17th August 1973	.. NB 270 Technology Bearing Calcutta ..	*1 Carton.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Indian Tradition 494/73, 210.	17th August 1973 ..	IEL/KAN/A/205/521/522/728 Calcutta ..	*1 Case.
New Guiner Trader 405/73, 5.	14th June 1973 ..	C. P. W. Calcutta	*21 Paper Bags.
Piotr Dunin 432/73, 26.	10th July 1973 ..	J + S 10557 Varanasi via Calcutta ..	*1 Case.
Vishva Usha 377/73, 295.	23rd June 1973 ..	IEC/KAN/A/191/177/985	*1 Case.
Minisk 261/72, 2.	5th May 1972 ..	Philips Calcutta 994830	*1 Case.
Vishwa Tirtha 360/73, 145.	19th June 1973 ..	IEL/KAN/171/409/793 Kanpur Calcutta ..	*1 Case.
Vishva Tirtha 360/73, 132.	19th June 1973 ..	IEL/KAN/A/191/058/059/060/625. Kanpur Calcutta.	*1 Case.
Vishva Tirtha 360/73, 12.	19th June 1973 ..	Phipson Calcutta	*1 Case.
Vishva Tirtha 360/73, 133.	19th June 1973 ..	IEC/KAN/A/191/792 Kanpur Calcutta ..	*1 Carton.
*Vishva Tirtha 360/73, 28.	19th June 1973 ..	Phipson Calcutta	*1 Carton.
John Everett 486/73, 37.	4th August 1973 ..	IEL/Kanpur via Calcutta IEL. Order No. Imp-E/204/328-339.	*1 Case.
Jaladuhita 390/70, 18.	12th July 1973 ..	IEL. Kanpur IEL/KAN/P/22/039/858 ..	*1 Carton.
Schwarg Burg 657/73, 91.	30th October 1973 ..	S. S. S. Kathmandu Calcutta	*3 Cartons.
S/o. Assam 389/73, 159.	25th June 1973 ..	G. T. R. P. E. 1773 Calcutta	*1 Case.
S/o. Assam 389/73,	25th June 1973 ..	IEL/KAN/191/058/059/060/625 Kanpur Calcutta.	*1 Case.
S/o. Assam 389/73, 123.	25th June 1973 ..	I. R. M. S. Calcutta	10 Cases.
S/o. Assam 389/73, 40.	25th June 1973 ..	IEL/KAN/A/U/191/070/581 (Mark in paper label).	*1 Case.
Vishva Vivek 509/73, 16.	4th August 1973 ..	Parvean Corporation 25 A. C. R. Avenue Calcutta ex 51-56.	*8 Cartons.
Jaladharma 329/72, 28.	13th June 1973 ..	I. I. F. Order P/1558 I. I. T. Kharagpur IMP. Lic. G/JI 3036085.	*1 Case.
Samoa 363/73, 8.	13th June 1973 ..	K. B. Calcutta	*12 Cases.
C/o. Luchfield 298/73, 100.	....	C. S. E. AMP 408 Calcutta	*1 Case.
Oranian Burg 694/72, 602.	28th October 1972 ..	M[Desai]B 52/72 S Co.	*2 Cartons.
Helleolden Droff .. 825/72, 25.	Ditto ..	Hilterhouse Calcutta	*2 Cartons.

Steamer's name	Date of landing	Marks and Number	Quantity and Description.
Flying Fish 128/68, 76.	1st March 1968 ..	C.O.S. S.E. Rly. Calcutta J.W. 30158 ..	1 Carton.
Bankura 428/67, 58.	18th April 1967 ..	C. L. & Co. Calcutta OR Nil	*******2 Drums.
Steel Scientist 1162/67.	....	U. S. Aid Loan Non-Project 1966-SOO ACBAC EL Bombay.	*****13 Bales.
Ariak Maru 589/70, 27.	23rd September 1970 ..	To. India Explosive Ltd. 34, Chowringhee Road Calcutta Fertilizer Project Kanpur via Calcutta.	******1 Case.
Monolovertt 349/72, 148.	16th June 1972 ..	M. S. Ban Calcutta	*****19 Bags.
Jalamayur 114/72, 290.	.. 13th March 1972 ..	Tisco Tata 1021/057056. Calcutta. ..	****2 Cases.
Jala Gouri 745/72, 115.	....	G. C. & Co. CSC 260/IMPL Calcutta ..	***24 Pkgs.
Jala Gouri 795/72, 119.	....	G. C. & Co. 41/41/1203/M/14. IMPL. Calcutta	***6 Packings.
Onwokerk 480/72, 67.	5th August 1972 ..	L.B.S. Calcutta	***16 Cases.
S/o Madhya Pradesh 30/73, U/M.	8th February 1973 ..	ASAR Co. Lake Asbestos Canada Code GD GD/4 Produce of Canada.	***1 Bag.
C/o Worcester 21/73, 94.	29th January 1973 ..	G. C. & Co. No. 41/41/1203 M/15. J. M. M.P.L.	***34 Crates.
Jalamoti 853/72, 84.	25th January 1973 ..	Paulsons Calcutta	***1 Case.
Jalamoti 853/72, U/M.	25th January 1973 ..	Nil	***1 Bundle.
Jalakrishna 730/72, U/M.	15th December 1972 ..	Nil	**2 Bundles.
Jalakrishna 730/72, U/M.	15th December 1972 ..	Nil	**1 Bag.
ndian Merchant 282/73, U/M.	28th April 1973 ..	M (Rangoon) I C Calcutta	**24 Empty Gunny Bags.
ndian Merchant 282/73, U/M.	28th April 1972 ..	M E I (Rangoon) C Burma	**6 Polythin Bags.
ndian Merchant 282/73, U/M.	28th April 1972 ..	Nil	**2 Polythin Bags.
Jalakrishna 730/72, U/M.	15th December 1972 ..	Nil	**2 Carton.
Jalakanta 820/72, U/M.	31st December 1972 ..	Nil	**45 Bags.
Onwokerk 480/72, U/M.	6th August 1972 ..	Nil	****11 Bags.
V. Vikram 628/73, U/M.	30th September 1973 ..	Nil	6 Bags.
Vishva Sandesh 13/73, 77.	12th January 1973 ..	Mohanlall New Delhi via Calcutta ..	***1 Case.

Steamer's name	Date of landing	Marks and Numbers	Quantity and description
Export Buyer 200/73, 19.	30th April 1973	To Punjab N. Bank Chamara Bazar Delhi India Trades TO. Mapras Book Agency Patna.	**2 Cases.
Lionza 373/73.	18th June 1973	Nil	*26 Bags.
Jaladuhita 190/72, 45.	19th April 1972	Salesians Krishnagar Calcutta	*12 Cases.
Platan 417/73, 25.	11th July 1973	S. L. C. Calcutta	*9 Cases.
Erust Scheheller 516/73, U/M	28th August 1973	Nil	*13 Bags.
C/o Gloucoster 446/73, 96.	17th July 1973	IEL/KAN/U/171/329/550 Kanpur Calcutta	2 Cases.
Indian Tradition 494/73, 334, 335, 336.	16th August 1973	Angus Jaya ELM/SLS/168/72, Calcutta	*10 Cases.
Isarco 322/70, 30.	27th May 1970	SAE India Calcutta	*1 Case.
Platan 417/73, 305, 306, 307.	....	Angus Jaya FLM/SLS/16831/72	*5 Packings.
Platan 417/73, 25.	11th July 1973	S. L. C. Calcutta	*4 Cases.
C/o Lancaster 462/73, 83.	....	IEL/CAL/M/D34/72, Calcutta	*34 Paper Bags.
Ever Success 78/73, U/M.	....	GAWI. Calcutta Int. to Nepal	*11 Bundles.
Sabzora 126/70.	5th August 1970	Dunlop Calcutta OR Nil	*2 Bales Rubber.
Jyoti C/197/70, U/M.	....	Dunlop OR Nil	*1 Bag.
Jaladuhita 390/73, 19.	....	Renusagar Power Co. Ltd. Renukoot Chanor Mirzapur U. P. Via Calcutta.	*1 Carton.
Vishva Tirtha 360/73, 144.	19th June 1973	IEL/KAN/1/191/006/514 Kanpur Calcutta	*1 Crate.
Jalajawhar 892/69, U/M.	6th January 1970	Nil	*******35 Bags.
Jalakrishna 782/71, 47.	22nd December 1971	B. D. Hamburg	*******10 Cases.
Ganges Maru 631/70, 72.	....	GLC S/9351/Calcutta Int. to Nepal	*******1 Case.
Jalamasta 472/71, U/M.	5th August 1971	P-5-50	*******126 Bags,
Velibit 202/71, U/M.	5th April 1971	Nil	*******6 Bags.
Jalaganga 827/71, U/M.	....	Nil	*******1 Package.
Makrana 416/63, 69.	17th March 1963	Sen Raleigh C 5934	**********1 Case.

Steamer's name	Date of landing	Marks and Numbers	Quantity and description
V. Probha 603/71, U/M.	28th September 1971 ..	P-6-45 OR Nil	******5 Bags.
Jalamohan 696/71, 48.	....	V K I (CAFG-223) Calcutta	******9 Cases.
Indian Tirumph 282/72, 97.	....	Maxi Product	******12 Drums.
Jalagopal 513/72, U/M.	....	Nil	****8 Iron Packages.
Jalamurari 395/72, 165.	25th July 1972 ..	S 71031	***15 Cases.
Nasusan Maru 1020/60, 37.	....	H 338 N	*****2 Cases.
Indian Resolve 49/72, 14.	14th February 1972 ..	Chemical Corporation 6079-6086	*****8 Cases.
Chilka 424/71, 131.	28th July 1971 ..	Geowall Calcutta	*******5 Cases.
Jalamati 765/71, U/M.	1st February 1971 ..	Nil *	*300 Bags.
Vishwa Mangal 654/72, 16.	3rd October 1972 ..	Nil	****100 Drums.
Ever Success 76/73, U/M.	13th February 1973 ..	Nil	***110 Bags.
Bengal Maru 427/71, 1.	16th July 1971 ..	PW/854/6079/SN 11 OR Nil	*********2 Pieces.
Jamsha 5/70, 29.	....	Dunlop Chemoni Estate Inc. M/70/N 45 ..	*********1 Drum.
C/o Bedford 374/71, U/M.	24th July 1971 ..	(EUB) 768 O/N. 5743	*********1 Drum.
C/o Delhi 432/72.	23rd ..	A.C.I. Calcutta	****26 Drum.
Jalamatsya 169/73. U/M.	....	Nil	**1 Drums.
Jalapankhi 268/71, U/M.	....	Nil	*1 Bale.
S/o Maharastra 352/72, U/M.	18th July 1972 ..	Nil	*1 Drum.
Indus	....	William Dingwal 1, Harington Street ..	**2 Packages.
Lindenfels 473/68, 122.	....	H. Oberai Mount View Chandigarh ..	**1 Carton.
Tompa 1324/66, 13.	....	Soaltee SHL 2021	**1 Case.
Mahout 1365/66, 56.	....	Soaltee SHL 2032 SHL 2025 SHL 2038 SHL 2039.	**6 Cartons.
S/o Kerala 222/70, U/M.	....	Nil	**1 Carton.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Martand 338/64, 1.	....	S-S-Miranda Potdad Calcutta	**1 Case.
Poli 207/602/64,	....	Dinshaw Shorabji Calcutta	**1 Case.
S-o Rajasthan 858/68, 115.	....	Yuttor Gangtok Sikkim via Calcutta ..	**1 Carton.
Argenfels 103/71, 60.	....	Spencers E I H Calcutta	**1 Carton.
Sterufels 814/72, 30.	....	S. W. Ltd. DLN-10	**1 Carton.
Avala 863/66, 2.	18th August 1966 ..	Enterprise for Waterways Paradip Port Project	**1 Case.
Bakar 605/70, 15.	23rd July 1970 ..	MOYURT 2130/1 Bombay	**********1 Case.
Vishva Sandesh 13/73, U/M.	12th January 1973 ..	Nil	*281 Cartons.
Alcor 579/69, 98.	14th August 1969 ..	Royal Nepal Airlines Kathmandu ..	*17 Packings.
Makeverett 476/72, 52.	20th July 1972 ..	H M Uttarpara Orler Stee. /H. 11140 ..	****2 Bundles.
Mahsud 755/72, 72.	24th February 1973 ..	Sakrw Industries Calcutta	***1 Case.
Thomas Everett 505/72, U/M.	4th August 1972 ..	Nil	***2 Pieces
Markhov 818/72, 78.	25th December 1972 ..	IEL/KAN/OF/B1/110/37. Kanpur Calcutta	**1 Case.
Singpore Maru 816/70, U/M.	....	Nil	********3 Bundles.
Melodog Verdgak 801/72, U/M.	31st December 1972 ..	Nil	***9 Pieces.
Golden City 234/72, U/M.	18th April 1972 ..	Nil	*4 Bundles.
Kasuga Maru 289/72, U/M.	29th April 1972 ..	Nil	*60 Pieces Chequered Plates.
Jalamayur 595/72, 21.	22nd September 1973 ..	R. K. Gupta R. S. Gupta Kachi Laktara Sahajanpur U. P. India OR Nil.	*1 Case.
Naumburg 893/68, U/M.	10th November 1968 ..	Gedore Delhi via Calcutta	**********9 Bundles.
Naumburg 893/65, U/M.	....	O-N. 3003 Gedore Delhi via Calcutta ..	**********1 Bundle.
Nausin 197/72, U/M.	30th March 1972 ..	Nil	***2 Bundles and 118 Piece Chequered Plates.
Hugh Everett 539/72, U/M.	21st August 1972 ..	Nil	***1 Piece.
Jaya Luxmi 185/69, 50	....	Ranusagar Power Co. Rly. Siding Renukot ..	********2 Cases.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Mahout 615-72 U/M.	....	R. S. S/Steel 1372 Grade S. T. 42.	***1 Piece
Makeverutt 470/72, 52.	20th July 1972	H. M. Uttarpara Calcutta order Steel-A11140	***9 Bundles.
Jala Krishna 810/68.	..	398940 9825220 N-99	**********2 Packages.
Cassarate 794/72, U/M.	27th December 1972	Nil	***6 Bundles Sheets (loose).
Cassarate 794/72, U/M.	27th December 1972	Nil	***2 Bundles Sheets (loose).
Cassarate 794/72, U/M.	..	Nil	***16 Pieces Plates.
Jaladharma 819/70, U/M.	29th December 1970	Ludlow Jute Co. Ltd.	******6 Pallet Jute Yarn.
Toulsie 649/71, 10.	10th November 1971	P. G. Calcutta	**4 Bales and 1 Bag.
Vishva Ananda 631/72, 2.	..	(National) Calcutta	**120 Paper Bags.
S/o Rajasthan 532/71, 22.	8th September 1971	TEL/5717 Calcutta	*6 Empty Drums.
Exporter 547/71, U/M.	2nd September 1971	Nil	*563 Cartons Aspirin.
Jala Gouri 795/72, 196.	8th January 1972	AA Calcutta	**50 Cases.
Agelos Galrial 60/73, U/M.	15th March 1973	Nil	**1 Case.
Burn Burg 902/69, 63.	25th December 1969	V. S. C. Calcutta	**********6 Cases.
C/o Dundee 372/72, 136.	20th June 1972	G. C. Co. Ltd. C. S. M. 2561 Calcutta	****1 Bundle.
U/C	..	Atlas Cycle Industries Ltd., Sonepat, India	****11 Bundles.
Jaladharati 606/71, U/M.	6th October 1971	Nil	*******1 Crate.
Jala Murari 395/72, U/M.	30th July 1972	Nil	****1 case.
Jalamati 853/72, 83.	25th January 1973	Hada Tools Ltd. P-D-2134619/R/M1/31/RM1. or Nil.	***3 Bundles.
Jalamati 853/72, U/M.	25th January 1973	Nil	***1 Bundle.
Jalamati 853/72, U/M.	25th January 1973	Nil	***1 Piece.
Jalamati 853/72, 68.	25th January 1971	C. C. C. 64628 Calcutta	**49 Bundles.
Clan Macnair	18th February 1973	Nil	*2 Pieces.
Vishva Vhakti 836/72, 19.	29th December 1972	MU 6582	***1 Motor Car.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
John Everest 486/73, 30.	..	IEL/Kanpur via Calcutta IEL. O/N. IMP/U/164/413.	*1 Case.
John Everett 486/73, U/M.	4th August 1973 ..	Nil	*27 Pieces sheets.
Jala Jaya 526/70, U/M.	..	Nil	*********1 Case.
Geobrik 563/71, U/M.	..	Nil	****1 Package Motor.
Rangoon Maru 505/72, U/M.	10th February 1972 ..	Nil	****1 Bundle.
Victoria Peak 8n 77/73, U/M.	10th February ..	Nil	****1 Bundle.
Vishva Usha 377/73, 295.	..	IEL/KAN/A/191/177/785 Kanpur Calcutta ..	*1 Case.
Vishva Pran 208/71, U/M.	14th April 1973 ..	Nil	**********1 Case.
Vishva Vivek 816/72, U/M.	..	Nil	***1 Piece.
Ocean Regina 639/73.	10th October 1972 ..	Nil	* 32 Pieces.
Ocean Regina 639/73.	10th June 1972 ..	Nil	*5 pieces.
Vishva Vandana 25/70, U/M.	6th February 1970 ..	Nil	*********1 Bundle.
Vishva Kalyan 433/71, 10.	25th July 1971 ..	Nil	***19 Bales.
Indian Resolol 328/70, 185.	23rd May 1970 ..	Fort Gloster O/N. 68/75-7	**********1 Case.
Maipura 313/72, U/M.	10th June 1972 ..	Nil	****3 Packages.
Maipura 313/72, U/M.	10th June 1972 ..	Nil	****43 Bundles and A quantity of loose wire.
Maipura 313/72, U/M.	10th June 1972 ..	Nil	****00 Pieces Plates.
Jala Murari 395/72, 505.	..	M.T.C. 781. or Nil	**** 98 Rolls.
Older Kerk 272/72, 27.	..	Asavari Industries	** 1 Case.
Jala Kendra 769/70, 136.	..	Hind Motors Ltd. Sex—0453 Sex—0476 ..	****** 2 Cases.
S-o Rajasthan 528/66, 111.	20th May 1966 ..	N6-/690/27	*5 Cases.
Vishva Nidhi 309/71, U/M.	27th May 1971 ..	Nil	*445 Bags.
Citagus Parker 804/71, U/M.	7th December 1972 ..	Motor Steel Hindustan Motor Ltd. Uttarpara No. Steel A11038. Hindustan Motor order No. Steel Uttarpara Calcutta Hindust Uttarp order No.	***4 Skids.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Jaladharati 612/70, U/M.	11th October 1970 ..	Kalyan via Bombay M. D. Loan 386/8/196 ..	*********1 Drum.
Bellirive 1/71.	29th January 1971	Screen Entertainment Madrass Case No. 3, Red Paint.	******1 Case.
Rostock 30.	..	TT(I) P Ltd. Calcutta..	******2 Cases.
C/o New Castle	28th September 1956 ..	(M + Co)	**3 Cases.
C/o Bristol	..	(M + Co)	**3 Cases.
C/o Hereford	..	(M + Co)	**2 Cases.
Indian Venture 824/72, U/M.	16th January 1973 ..	Bombay or Nil	***1 Bundle Steel Rod.
Indian Venture 632/73, Line 68/2 and Line 81/4.	23rd October 1972 ..	K T C Calcutta	5 Cases.
Linderkerk 681/73, Line 48 Line 48.	13th November 1973 ..	Philips DKT/K/78 India/Imp/Lic 2652707 ..	2 Packages.
Goldencity 304/69, 21.	24th April 1969 ..	Nil	1 Case.
August Cesarce 745/73, U/M.	25th November 1973 ..	Nil	A quantity of loose paper.
Argenfels 617/73, 141.	21st November 1973 ..	Alucoin Jaykay Nagar Calcutta	1 Case.
Argenfels 617/73, 5.	21st November 1973 ..	Ananda Bazar Patrika Calcutta	1 Case.
Argenfels 617/73 145.	21st November 1973 ..	Philips Cal	1 Case.
Platon 417/73, 92.	6th July 1973 ..	Miss Sudhesna Das, 48 Doctor Jagobandhu Lane Calcutta-12.	1 Carton.
Soochaw 633/73, U/M.	10th October 1973 ..	Nil	12 Bags Fertilisers.
Soochow 633/73, U/M.	10th October 1973 ..	Nil	10 Bdls empty gunny bags.
Maharani 67/71.	21st and 22nd May 1971	Nil	1 Bundle Rubber.
Maharani 67/71, Supdt, 21/24.3.72.	..	Nil	A Quantity of loose Rubber.
Liderkerk 681/73, 60.	14th November 1973 ..	TTI Cal	37 Cases.
S/o. Punjab 846/71, U/M.	21st January 1971 ..	Nil	38 Bags Asbestos Sweepings.
Angloes Grafial 60/73, 245.	28th February 1973 ..	C I C Cal	2 Packages.
S/o. Meghalaya 556/73, 107.	12th September 1973 ..	WIMCO Alambazar Cal	1 Case.
Unconnected	..	Nil	12 Bags Soda Sweepings.
Jaladhnya 8/73, 21.	28th January 1973 ..	Seventh Day Adventist welfare Service Inc for Scheer Memorial Hospital Box 88 Kathmundu Nepal 1/3.	3 Cases.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Unconnected	..	Nil	A Quantity of Iron Packages.
St. Lanrance 703/72, 60.	7th November 1872 ..	Bengal Line BLO2471/360 Cal	4 Iron Packages.
Monoloveratt 817/72, 8.	26th December 1972 ..	TSUBAKI F (7571)-K C Cal	86 Cases.
Ind. Strength 342/72, 20.	4th June 1972 ..	Bertrane Scott (India) Cal	1 Case.
Banglar Tarani 758/73, 43.	28th November 1973 ..	Prince Jullundar Cal	1 Case.
Jalakendra 525/73, 138.	5th October 1973 ..	E L. M. I Cal	1 Case.
Jalakendra 525/73, 137.	5th October 1973 ..	Hind Lamp Shikohbad Cal	1 Case.
Jalagouri 483/73, U/M.	11th September 1973 ..	Andrew Yule & Co Cal/India L/C 114CIN 472 G/A 1046/977C/CN 39/31/32.	2 Cases.
Jalagowri 483/73, 154.	11th September 1973 ..	A Y PEW MPT Item No. C20 Cal	1 Case.
Jalagouri 483/73, 154.	11th September 1973 ..	A Y PEW CPT Item No. 18	2 Cases.
Unconnected	..	Nil	8 Pieces Roumd.
Unconnected	..	Nil	3 Pieces Plates.
Antrim 784/72, U-M.	17th December 1972 ..	Peao E IND 48457 or Defaced	1 Case.
S-o. Kerala 529/72, U/M.	22nd August 1972 ..	GRW Ltd or Nil	1 Piece Plate.
Levern Bank 341/72, U/M.	5th June 1972 ..	Nil	1 Bundle Sheets.
Esperanto 648/72, U/M.	13th October 1972 ..	Nil	6 Pieces Plates.
Dianamoh Maru 101/71, U/M.	20th February 1971 ..	Nil	1 Bundle Tubes.
Toranto 700/72, U/M.	31st October 1972 ..	Nil	1 Bundle Sheets.
Burgo 104/72, 4.	17th December 1972 ..	Nil	8 Pieces Plates.
Mahouth 559/71, U/M.	23rd September 1971 ..	Nil	108 Cartoon.
Francisco Nullo 190/73, U/M.	12th April 1973 ..	Nil	5 Coil wire.
Exford 664/71, U/M.	1st November 1971 ..	Nil	156 Bags Sweepings.
Vishva Jyoti 604/73, U/M.	17th October 1973 ..	S & L Via Ranchi India Imp-L-PO-O-137433 ..	1 Case.
S/O. Orissa 592/73, 35.	8th October 1973 ..	A 1P	1 Case.

Steamer's name	Date of landing	Marks and Number	Quantity and Description
Liderkerk 681/73, 48.	14th November 1973 ..	Philips Imp Lie No. 2642319 DUTK-78 171773	1 Package.
Indian Venture 632/73, 4.	10th October 1973 ..	Hindusthan Motor HM 5939 MS 7290 ..	1 Carton.
Indian Venture 632/73, 47/50.	10th October 1973 ..	IEL/KAN/A-207/533/860 Kanpur Via Cal. ..	1 Case.
Unconnected	....	Nil	3 Cases.
Do. ..	....	Nil	1 Package.
Do. ..	....	Nil	1 Piece Roll Cloth.
Do. ..	....	Nil	1 Piece Blanket.
Do. ..	....	Nil	2 Cut pieces Cloth & Textile.
Do. ..	....	Nil	A Quantity of Loose Clothing.
Kashwa Gyaw—YWA 722/72, U/M.	24th October 1972 ..	B. M. Refind or Nil	1 Piece Pig lead.
C/o. Glancester 446/73, 83.	17th July 1973 ..	IEL IEL/KAN/A-X201 588/675 Kanpur Via Cal.	1 Case.
Merwelloyd 493/73, 17.	4th September 1973 ..	HR 34 Cal.	1 Case.
Murrey Sverett 575/73, 12.	11th September 1973 ..	I G [BRD] Cal.	3 Cases.
Port Brisbrane 599/73, 496.	12th October 1973 ..	Doms Grashe of Tharfa Gholing Monestry of Kalimpong, Cal.	1 Crate.
Port Brisbrane 599/73, 200.	12th October 1973 ..	ITCL Kidderpore Cal.	1 Case.
Port Brisbrane 599/73, 262.	12th October 1973 ..	Dewers LR 228 Cal.	1 Case.
Port Brisbrane 599/73, 102.	12th October 1973 ..	Mr. D. J. Hoodcock, 21B Gorachand Road, Cal.	3 Cases.
Sabang 264/72, U-M.	23rd April 1972 ..	Nil	1 Bundle wood.
Vishva Vikram 628/73, 12.	30th September 1973 ..	ING-3099 Hirakud HF-1068 E/IND 3263 Via Cal.	1 Box.
Vishva Vikram 628/73, U/M.	30th September 1973 ..	Nil	6 Bags merchandise.
Ratna Chandra Lekha 102/72, 201.	25th February 1972 ..	Mother Therasa Missioneries of Charity ..	52 Cartons.
Vigraford 835/72, U/M.	8th January 1973 ..	Nil	6 Drums.
Thomas Everett 341/73, 23.	30th May 1973 ..	Mr. Turno Miura	1 Crate.
Jalamoti 726/73, 44.	26th November 1973 ..	M/S. Roodijanatro, New York Intransit 302 DEKK.	1 Package.
Jalamoti 726/73, U/M.	26th November 1973 ..	Nil	2 Bags seeds.
Triglov 658/73, 21.	13th October 1973 ..	Magnolia Restaurant 1931/371 Cal. ..	1 Crate.

Steamer's name	Date of landing	Marks and number	Quantity and description
Vishva Jyoti 604/73, 41.	14th October 1973 ..	Bihar Sarif Iron Works Ltd., Moghal Khan, P. O. Bihar Sarif, Patna.	6 Cases.
Vishva Jyoti 604/73, 37.	17th October 1973 ..	Pastur Inst. O/No. ST/72/11721 Shillong, Meghalaya Via Cal.	1 Case.
Indian Tribune 662/73, 42.	13th November 1973 ..	ELMI Cal.	1 Case.
Indian Tribune 662/73, 81.	13th November 1973 ..	TPM No. 1 Mill, Titaghar, Cal.	1 Case.
Vhle vit 468/72, U/M.	24th July 1972 ..	FE RIM PORT Cal.	1 Cylinder (empty).
Velavit 468/72, U/M.	24th July 1972 ..	Nil	1 Bag chemical.
Cavalia 555/73, U/M.	3rd October 1973 ..	A C P in a triangle Cal. or Nil ..	1 Barrel empty.
Unconnected ..	....	Nil	A quantity of loose paper bags.
Do. ..	....	Nil	1 Bundle wire.
Do. ..	....	Nil	6 pieces wood.
Do. ..	....	Nil	5 Pieces pipe.
Do. ..	....	Nil	14 Pieces tubes.
Do. ..	....	Nil	3 Bundles and 4 piece steel bars.
Do. ..	....	Nil	4 Pieces plates.
Tenya Maru 492/72, U/M.	13th August 1972 ..	Nil	1 Piece plate.
Merma Lloyd 493/73, U/M.	4th September 1973 ..	Nil	17 Bags merchandise.
Unconnected ..	....	Nil	19 Bags.
Do. ..	....	Nil	1 Wheel sett.
Do. ..	....	Nil	A quantity of sweepings contents of 22 bafs.
C-o. Glasgów 630/73, 30.	23rd October 1973 ..	IEL Cal-M-D33-72, Cal.	63 Paper bags.
Dunelmia 208/72, U/M.	18th April 1972 ..	Nil	******2 Pieces tyres.
Jag Manik 699/70, U/M.	24th November 1970 ..	Nil	******1 Bale rubber.
Unconnected ..	....	Nil	**1 Cartoon.
Exbrook 168/73, 27.	21st April 1973 ..	Industrial and Agricultural, Calcutta, India F511-662.	**1 Case.
Unconnected ..	....	Nil	*****1 Piece tyre.
Do. ..	....	Nil	**2 Bundles rubber sheets.
Do. ..	....	Nil	**1 Bundle sheet.
Do. ..	....	Nil	***1 Bundle hexagonal tube.
Jaladharati 200/71, 43.	14th April 1971 ..	Bayer SR/276, D0/60/736 Cosmocill, Cal. ..	*****1 Case.

Steamer's name	Date of landing	Marks and number	Quantity and description
Unconnected ..	....	Nil	3 Machinery parts.
Do. ..	....	Nil	1 Cut piece cloth.
Do. ..	....	Nil	1 Piece zinc slab.
Do. ..	....	Nil	7 Bags merchandise.
Jalagouri 483/73, 395.	11th September 1973 ..	I D .. .. AF/196/73 .. .. S C	3 Cases.
Do.	11th September 1973 ..	I D .. .. AF/193/78 .. .. S C	1 Case.
Do.	11th September 1973 ..	I D .. .. AF/198/73 S C	1 Case.
Indian Renown 645/68, Suppl. 13-5-68.	14th August 1968 ..	Nil	100 Bags A/Sulphate.
Ernst Schneller 516/73, 29.	28th August 1973 ..	S. C. Dutta & Sons, Cal.	6 Cases.
Jalayamuna 555/72, 165.	5th September 1972 ..	IN-FSD Cal.	1 Packet.
Victoria Peak 640/73, 72.	7th October 1973 ..	TSUBAKI .. .. .. △ M T L 7815	36 Cases.
John Everett 486/73, 114.	1st August 1973 ..	ETG 2361 C/No. 13 <T> Kathmandu Via Cal.	1 Case.
Jaladhir 466/73, 76.	10th August 1973 ..	Associated Instrument Manufacturers (I) Pvt. Ltd. Sen Raliegh Building, 2627 Asaf Ali Road, New Delhi, India.	1 Carton.
Jaladharma 760/73, 96.	....	△ H P P Cal.	1 Case.
Jaladharma 760/73, 82.	19th November 1973 ..	Nepal Barean of Mines, Kathmandu, Nepal Via Cal.	1 Carton.
Jala Veera 367/73, 136.	27th June 1973 ..	Andrew Yule & Co. Cal., India	1 Carton.
Carbia 222/73, 32.	9th April 1973 ..	Cemet Traders UE, EC D1-410-72 Cal. ..	5 Cases.
Jala Jyoti 101/72, 14.	20th February 1972 ..	Mr. M. Hossain Ali, Cal., India	1 Case.
Tweed Bank 185/73.	....	WR-3460-642 Dharan, Nepal	1 Carton.
Vishva Vibhuti 577/73, U/M.	10th September 1973 ..	Fairnacs (Hand Mark)	7 Bags.
Vishva Vibhuti 577/73, 91.	10th September 1973 ..	Rutt-Deen Cal.	7 Cartons.
Unconnected	....	Nil	4 Pieces saw.
Manipur 659/73, 50.	13th October 1973 ..	E.P. .. .. .. WAPDA Calcutta.	1 Case.
Manipur 659/73, 168.	13th October 1973 ..	IEL KAN 1201-587-839 Kanpur, Calcutta ..	1 Case.
Manipur 659/73, 211.	13th October 1973 ..	Mr.Dewa Tshiting, Welfare Officer for Tebetan Children, Have Lock Villa,	1 Chest.

Steamer's name	Date of landing	Marks and number	Quantity and description
Manipur 659/73, 2A.	13th October 1973 ..	Macmillan, Calcutta	1 Cartoon.
Manipur 659/73, 398.	13th October 1973 ..	DEMAG 20539000 ALUCOIN Jaykaynagar Via Calcutta.	1 Cartoon.
Manipur 659/73, 309.	13th October 1973 ..	Requ 13890-8 CA CASIN RADJO PHIS & ELECT Cal.	1 Case.
Manipur 174/73, 5.	2nd November 1973 ..	Macmillan, Calcutta	1 Cartoon.
Unconnected ..	....	FGIL or Nil	19 Paper bags.
Banglar Tarani 758/73, 17.	28th November 1973 ..	IEL-KAN-5-191-192-941, Kanpur, Calcutta ..	1 Case.
Banglar Tarani 758/73, 64.	26th November 1973 ..	P,T. Calcutta	1 Case.
Jala Kendra 525/73, 89.	....	Utkal O-No. Imp-0448-CRC Kanslahal Cal. ..	1 Case.
Unconnected ..	....	FAG, Made in Germany No. 21308 ..	1 Piece bearing.
Unconnected ..	....	Nil	30 Paper bags.
Do. ..	....	Nil	45 Cases.
Do. ..	....	Nil	158 Bags.
Do. ..	....	Nil	192 Pieces.
Do. ..	....	Nil	5 Cases.
Do. ..	....	Nil	5 Crates.
Do. ..	....	Nil	8 Packages.
Do. ..	....	Nil	21 Bales.
Do. ..	....	Nil	231 Bundles.
Do. ..	....	Nil	29 Packages.
Do. ..	....	Nil	24 Iron packages.
Do. ..	....	Nil	25 Rolls.
Do. ..	....	Nil	49 Cartoons.
Do. ..	....	Nil	44 Tins.
Do. ..	....	Nil	16 Coils.
Do. ..	....	Nil	38 Drums.
Do. ..	....	Nil	12 Bottles.
Do. ..	....	Nil	A quantity of loose articles.
Do. ..	....	Nil	A quantity of sheet rubber
Do. ..	....	Nil	A quantity of Iron packages (rails, pipes, billets etc.).
Do. ..	....	Nil	A quantity of piece sheet rubber.
Do. ..	....	Nil	A quantity of pieces Rail and 1 bundle.

Dated the 18th June 1974

D. K. GUHA,
Traffic Manager,
Calcutta Port Commissioners.

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PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

WEST BENGAL ORDINANCE No. VIII OF 1974

THE CALCUTTA TRAMWAYS COMPANY (TAKING OVER OF MANAGEMENT) (AMENDMENT) ORDINANCE, 1974.

WHEREAS it is expedient to amend the Calcutta Tramways Company (Taking over of Management) Act, 1967, for the purposes and in the manner hereinafter appearing; West Ben. Act XVI 1967.

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

AND WHEREAS the instructions of the President under the proviso to clause (*1*) of article 213 of the Constitution of India have been obtained;

The Governor is pleased, in exercise of the power conferred by clause (*1*) of the said article, to make and promulgate the following Ordinance, namely:—

Short title.

1. This Ordinance may be called the Calcutta Tramways Company (Taking over of Management) (Amendment) Ordinance, 1974.

Amendment of section 3 of West Ben. Act XVI of 1967.

2. In section 3 of the Calcutta Tramways Company (Taking over of Management) Act, 1967 (hereinafter referred to as the said Act), in sub-section (*2*),—

(*i*) for the words "seven years", the words "eight years" shall be substituted,

(*ii*) in the proviso, for the words "seven years", the words "eight years" shall be substituted.

Amendment of section 6.

3. In section 6 of the said Act, for the words "seven years", the words "eight years" shall be substituted.

ANTHONY L. DIAS,

Governor of West Bengal.

The 18th July, 1974.

K. K. MOITRA,

Secy. to the Govt. of West Bengal.

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PART V.—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFARS

Legislative Department

THE ESSENTIAL COMMODITIES (AMENDMENT) ORDINANCE, 1974

No. 2 OF 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

An Ordinance further to amend the Essential Commodities Act, 1955.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (*1*) This Ordinance may be called the Essential Commodities (Amendment) Ordinance, 1974. **Short title and commencement.**

(*2*) It shall come into force at once.

2. During the period of operation of this Ordinance, the Essential Commodities Act, 1955 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 12 (both inclusive) and the Criminal Law Amendment Act, 1952 shall have effect subject to the amendments specified in section 13. **Act 10 of 1955 and Act 46 of 1952 to be temporarily amended.**

Amendment of section 2.

3. In section 2 of the principal Act, in clause (*a*), after sub-clause (*iv*), the following sub-clause and *Explanation* shall be inserted, namely:—

'(*iva*) drugs.

Explanation.—In this sub-clause, "drug" has the meaning assigned to it in clause (*b*) of section 3 of the Drugs and Cosmetics Act, 1940;'. 23 of 1940.

Amendment of section 3.

4. In section 3 of the principal Act, in clause (*ii*) of sub-section (*3B*), for the words "where no such price is fixed,", the words "where no such price is fixed, an amount calculated having regard to" shall be substituted.

Amendment of section 6A.

5. In section 6A of the principal Act, in the opening paragraph, for the words "may order confiscation of the essential commodity so seized:", the following shall be substituted, namely:—

"may order confiscation of—

(*a*) the essential commodity so seized;

(*b*) any package, covering or receptacle in which such essential commodity is found; and

(*c*) any animal, vehicle, vessel or other conveyance used in carrying such essential commodity:".

Amendment of section 6B.

6. Section 6B of the principal Act shall be re-numbered as sub-section (*1*) thereof and—

(*a*) in sub-section (*1*) as so re-numbered, for the words "essential commodity", wherever they occur, the words "esential commodity, package, covering, receptacle, animal, vehicle, vessel or other conveyance" shall be substituted;

(*b*) after sub-section (*1*) as so re-numbered, the following sub-section shall be inserted, namely:—

"(2) Without prejudice to the provisions of sub-section (*1*), no order confiscating any animal, vehicle, vessel or other conveyance shall be made under section 6A if the owner of the animal, vehicle, vessel or other conveyance proves to the satisfaction of the Collector that it was used in carrying the essential commodity without the knowledge or connivance of the owner himself, his agent, if any, and the person in charge of the animal, vehicle, vessel or other conveyance and that each of them had taken all reasonable and necessary precautions against such use.".

Amendment of section 7.

7. In section 7 of the principal Act, for sub-sections (*1*) and (*2*), the following sub-sections shall be substituted, namely:—

"(*1*) If any person contravenes any order made under section 3,—

(*a*) he shall be punishable —

(*i*) in the case of an order made with reference to clause (*h*) or clause (*i*) of sub-section (*2*) of

that section, with imprisonment for a term which may extend to one year and shall also be liable to fine, and

(*ii*) in the case of any other order, with imprisonment for a term which shall not be less than three months but which may extend to seven years and shall also be liable to fine:

Provided that the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than three months;

(*b*) any property in respect of which the order has been contravened shall be forfeited to the Government;

(*c*) any package, covering or receptacle in which the property is found and any animal, vehicle, vessel or other conveyance used in carrying the property shall, if the court so orders, be forfeited to the Government.

(*2*) If any person to whom a direction is given under clause (*b*) of sub-section (*4*) of section 3 fails to comply with the direction, he shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to seven years and shall also be liable to fine:

Provided that the court may, for any adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term of less than three months.

(*2A*) If any person convicted of an offence under sub-clause (*ii*) of clause (*a*) of sub-section (*1*) or under sub-section (*2*) is again convicted of an offence under the same provision, he shall be punishable with imprisonment for the second and for every subsequent offence for a term which shall not be less than six months but which may extend to seven years and shall also be liable to fine:

Provided that the court may, for any adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term of less than six months.

(*2B*) For the purposes of sub-sections (*1*), (*2*) and (*2A*), the fact that an offence under sub-clause (*ii*) of clause (*a*) of sub-section (*1*) or under sub-section (*2*) has caused no substantial harm to the general public or to any individual shall be an adequate and special reason for awarding a sentence of imprisonment for a term of less than three months or six months, as the case may be.".

8. In section 10A of the principal Act,— **Amendment of section 10A.**

(*a*) for the words and figures "the Code of Criminal Procedure, 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted; 5 of 1898. 2 of 1974.

(*b*) the words "and bailable" shall be omitted.

Insertion of new sections 10B and 10C.

9. After section 10A of the principal Act, the following sections shall be inserted, namely:—

Power of court to publish name, place of business, etc., of companies convicted under the Act.

'10B. (*1*) Where any company is convicted under this Act, it shall be competent for the court convicting the company to cause the name and place of business of the company, nature of the contravention, the fact that the company has been so convicted and such other particulars as the court may consider to be appropriate in the circumstances of the case, to be published at the expense of the company in such newspapers or in such other manner as the court may direct.

(*2*) No publication under sub-section (*1*) shall be made until the period for preferring an appeal against the orders of the court has expired without any appeal having been preferred, or such an appeal, having been preferred, has been disposed of.

(*3*) The expenses of any publication under sub-section (*1*) shall be recoverable from the company as if it were a fine imposed by the court.

Explanation.—For the purposes of this section, "company" has the meaning assigned to it in clause (*a*) of the *Explanation* to section 10.

Presumption of culpable mental state.

10C. (*1*) In any prosecution for any offence under this Act which requires a culpable mental state on the part of the accused, the court shall presume the existence of such mental state but it shall be a defence for the accused to prove the fact that he had no such mental state with respect to the act charged as an offence in that prosecution.

Explanation.—In this section, "culpable mental state" includes intention, motive, knowledge of a fact and the belief in, or reason to believe, a fact.

(*2*) For the purposes of this section, a fact is said to be proved only when the court believes it to exist beyond reasonable doubt and not merely when its existence is established by a preponderance of probability.'.

Substitution of new section for section 12.

10. For section 12 of the principal Act, the following section shall be substituted, namely:—

Special provision regardidg fine.

"12. Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973, it shall be lawful for any Metropolitan Magistrate, or any Judicial Magistrate of the first class specially empowered by the State Government in this behalf, to pass a sentence of fine exceeding five thousand rupees on any person convicted of contravening any order made under section 3.". 2 of 1974.

Amendment of section 12A.

11. In section 12A of the principal Act—

(*a*) in sub-section (*1*), for the words "any essential commodity", the words, brackets, letter and figure "any essential commodity [not being an essential commodity referred to in clause (*a*) of sub-section (*2*)]" shall be substituted;

(*b*) for sub-section (*2*), the following sub-section shall be substituted, namely:—

2 of 1974.

"(*2*) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences relating to—

(*a*) the contravention of an order made under section 3 with respect to—

(*i*) cotton or woollen textiles;

(*ii*) foodstuffs, including edible oilseeds and oils; or

(*iii*) drugs: and

(*b*) where any notification issued under sub-section (*1*) in relation to a special order is in force, the contravention of such special order.

shall be tried in a summary way and by a Judicial Magistrate of the first class specially empowered in this behalf by the State Government or by a Metropolitan Magistrate and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trial:

Provided that, in the case of any conviction in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year:

Provided further that when at the commencement of, or in the course of, a summary trial under this section, it appears to the Magistrate that the nature of the case is such that a sentence of imprisonment for a term exceeding one year may have to be passed or that it is, for any other reason, undesirable to try the case summarily, the Magistrate shall, after hearing the parties, record an order to that effect and thereafter recall any witnesses who may have been examined and proceed to hear or re-hear the case in the manner provided by the said Code.";

(*c*) in sub-section (*3*),—

5 of 1898.
2 of 1974.

(*i*) for the words and figures "the Code of Criminal Procedure 1898", the words and figures "the Code of Criminal Procedure, 1973" shall be substituted;

(*ii*) for the words "or of fine not exceeding two thousand rupees, or both", the words "and of fine not exceeding two thousand rupees" shall be substituted;

(*iii*) for the word and figures "section 517", the word and figures "section 452" shall be substituted;

(*iv*) the words "of imprisonment or fine" shall be omitted;

(*d*) for sub-section (*4*), the following sub-section shall be substituted, namely:—

"(*4*) All cases relating to the contravention of an order referred to in clause (*a*) of sub-section (*2*), not being a special order, and pending before a Magistrate immediately before the commencement of the Essential Commodities (Amendment) Ordinance, 1974, and, where any notification is issued under sub-section (*1*) in relation to a special order, all cases relating to the contravention of such special order and pending before a

Magistrate immediately before the date of the issue of such notification, shall, if no witnesses have been examined before such commencement or the said date, as the case may be, be tried in a summary way under this section, and if any such case is pending before a Magistrate who is not competent to try the same in a summary way under this section, it shall be forwarded to a Magistrate so competent.".

Insertion of new section 12B.

12. After section 12A of the principal Act, the following section shall be inserted, namely:—

Grant of injunction etc., by civil courts

"12B. No civil court shall grant an injunction or make any order for any other relief against the Central Government or a public officer in respect of any act done or purporting to be done by such Government, or such officer in his official capacity, under this Act or any order made thereunder, until after notice of the application for such injunction or other relief has been given to such Government or officer.".

Amendment of Act 46 of 1952.

13. In section 8A of the Criminal Law Amendment Act, 1952,—

(*a*) in sub-section (*1*),—

(*i*) for the words, figures and letter "referred to in section 12A of the Essential Commodities Act, 1955", the words, brackets, figures and letters "referred to in sub-section (*1*) of section 12A of the Essential Commodities Act, 1955 or of an order referred to in clause (*a*) of sub-section (2) of that section" shall be substituted;

(*ii*) after the proviso, the following proviso shall be inserted, namely:—

"Provided further that when at the commencement of, or in the course of, a summary trial under this section, it appears to the special Judge that the nature of the case is such that a sentence of imprisonment for a term exceeding one year may have to be passed or that it is, for any other reason, undesirable to try the case summarily, the special Judge shall, after hearing the parties, record an order to that effect and thereafter recall any witnesses who may have been examined and proceed to hear or re-hear the case in accordance with the procedure prescribed by the said Code for the trial of warrant cases by Magistrates.";

(*b*) for sub-section (*3*), the following sub-section shall be substituted, namely:—

"(*3*) All cases relating to the contravention of an order referred to in clause (*a*) of sub-section (2) of section 12A of the Essential Commodities Act, 1955 [not being a special order referred to in sub-section (*1*) of that section] triable summarily under this section and pending before a Magistrate immediately before the commencement of the Essential Commodities (Amendment) Ordinance 1974, and, where any notification is issued under sub-section (*1*) of the said section 12A

10 of 1955.

in relation to a special order, all cases triable summarily under this section in relation to such special order and pending before a Magistrate immediately before the date of the issue of such notification, shall, if no witnesses have been examined before such commencement or the said date, as the case may be, be tried by the special Judge in a summary way under this section.".

Saving.

14. (*1*) The amendments made by section 11 of this Ordinance to section 12A of the principal Act shall not apply to and in relation to any contravention of a special order referred to in the said section 12A which was committed before the commencement of this Ordinance and accordingly the provisions of that section as they stood immediately before such commencement shall continue to apply to and in relation to such contravention as if this Ordinance had not been promulgated.

46 of 1952.

(*2*) The amendments made by section 13 of this Ordinance to section 8A of the Criminal Law Amendment Act, 1952 shall not apply to and in relation to any contravention of a special order referred to in section 12A of the principal Act which was committed before the commencement of this Ordinance and accordingly the provisions of the said section 8A as they stood immediately before such commencement shall continue to apply to and in relation to such contravention as if this Ordinance had not been promulgated.

V. V. GIRI,
President.
22nd June 1974

S. K. MAITRA,
Joint Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Constitution and Elections

NOTIFICATIONS

No. 891-A.R. 19th July 1974.—Whereas during the absence on account of illness of Shri Pratulla Kanti Ghosh, Minister of State-in-charge of Department of Food and Supplies, Dairy Development Branch of Department of Animal Husbandry and Veterinary Services and Sports Branch of Department of Education, the businces of the Government previously allocated to the said Minister of State was allocated by Home (Constitution and Elections) Department Notification No. 799-A.R., dated the 14th June 1974 (hereinafter referred to as the said notification), to Shri Siddhartha Sankar Ray, the Chief Minister, Shri Pradip Bhattacharyya, Minister of State and Shri Atish Chandra Sinha, Minister of State;

And whereas the said Notification was partially modified by another Notification of the Home (Constitution and Elections) Department being Notification No. 813-A.R., dated the 22nd June 1974;

And whereas the said Shri Pratulla Kanti Ghosh is now in a position to resume his duties;

Now, therefore, in exercise of the power conferred by clause (3) of Article 166 of the Constitution of India, the Governor is pleased hereby to rescined, with effect from 3rd July 1974, the said Notification No. 799-A.R., as amended by the said other Notification No. 813-A.R.

By order of the Governor,

B. R. GUPTA,

Chief Secy. to the Govt. of West Bengal.

No. 892-A.R. 19th July 1974.—The Governor, on the advice of the Chief Minister, is pleased hereby to make the following amendments in this Department Notification No. 1692-A.R., dated the 20th March 1972, published at pages 621e-621g of Part I of the "Calcutta Gazette, Extraordinary", dated the 20th March 1972, as subsequently amended (hereinafter referred to as the said Notification), namely:

Amendments

In the said Notification,—

(a) for item No. (1) and the entries relating thereto, substitute the following item and entries, namely:—

"(1) Shri Siddhartha Sankar Ray, Chief Minister and Minister-in-charge of Home Department (excluding Transport, Jails and Parliamentary Affairs Branches).";

(b) for item No. (6) and the entries relating thereto, substitute the following item and entries, namely:—

"(6) Shri Tarun Kanti Ghosh, Minister-in-charge of Department of Commerce and Industries, Department of Tourism and Sundarban Areas Branch of Department of Development and Planning.";

(c) for item No. (20) and the entries relating thereto, substitute the following item and entries, namely:—

"(20) Dr. Md. Fazle Haque, Minister of State for Home Department (excluding Transport, Jails and Parliamentary Affairs Branches), Wakf Branch of Judicial Department and Department of Development and Planning (excluding Jhargram

Affairs, Sundarban Areas and Hill Affairs Branches), under the Minister-in-charge of Home Department (excluding Transport, Jails and Parliamentary Affairs Branches), the Minister-in-charge of Judicial Department and the Minister-in-charge of Department of Development and Planning (excluding Jhargram Affairs, Sundarban Areas and Hill Affairs Branches).";

(d) for item No. (27) and the entries relating thereto, substitute the following item and entries, namely:—

"(27) Shri Gajendra Gurung, Deputy Minister for Department of Commerce and Industries, Department of Cottage and Small-Scale Industries, Department of Co-operation, Department of Tourism and Hill Affairs Branch of Department of Development and Planning under the Minister-in-charge of Department of Commerce and Industries, the Minister-in-charge of Department of Cottage and Small-Scale Industries, the Minister-in-charge of Department of Co-operation, the Minister-in-charge of Department of Tourism and the Minister-in-charge of Hill Affairs Branch of Department of Development and Planning.".

By order of the Governor,
B. R. GUPTA,
Chief Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 3398/MIM-57/72.—18th July 1974.—Whereas Government in their order published at page 1814(8) of the "Calcutta Gazette, Extraordinary", dated the 7th September 1972, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), superseding the Commissioners of the English Bazar Municipality in the district of Malda for a period of one year from the 29th April 1972;

And whereas by subsequent Government Orders No. 1386/MIM-57/72, dated the 19th April 1973, and No. 680/MIM-57/72, dated the 20th March 1974, the said period of supersession was extended up to the 31st July 1974;

And whereas in the opinion of the Governor the extension of the said period of supersession for a further term is necessary;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is hereby pleased to extend further the term of supersession of the Commissioners of the English Bazar Municipality for the period up to the 31st March 1975.

2. In exercise of the powers conferred by clause (bb) of sub-section (1) of section 554 of the said Act, and the first proviso to the said clause, the Governor is further pleased hereby to direct that the powers and duties referred to in the said clause shall, for this extended period of supersession of the Commissioners of the English Bazar Municipality, be exercised and performed by Shri Subhas Chandra Chowdhury, S.D.O., Malda, in addition to his own duties, until further orders.

By order of the Governor,
T. N. DE,
Asst. Secy to the Govt. of West Bengal.

CORRIGENDUM

No. 3397/MIM-74/72.—18th July 1974.—In Government Order No. 2076/MIM-74/72, dated the 17th May 1974, for the words and figures "Government Order No. 3813/MIM-74/72, dated the 10th August 1972", read "Government Order No. 4625/MIM-74/72, dated the 13th October 1972".

By order of the Governor,
B. MAJUMDAR,
Spl. Officer and ex officio Commissioner and Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

NOTIFICATION

CALCUTTA — No. 13674-L.A.(II)/2R-22/72. — 19th July 1974. The Governor is pleased to cancel so much of the Notification No. 15108-L.A.(II)/2R-22/72, dated the 3rd October 1972 under section 4 of the Land Acquisition Act I of 1894 (Act I of 1894), published at pages 1977-1978, Part I of the "Calcutta Gazette, Extraordinary", dated the 5th October 1972, as relates to the premises described in the Schedule below and measuring, more or less, 0.0091 of a hectare (.0225 of an acre) out of total area of 0.2488 of a hectare (0.6147 of an acre) notified for acquisition for the purpose of construction of Mass Rapid Transit System and from other connected works relating to the said system Dum Dum to Tollygunge within the Ward No. 8 of the Calcutta Municipality in the city of Calcutta,

Schedule

Name of Road/Street Premises No.	Specific portion to be cancelled.	Area in Hectrae	Area in Acre	Ward No.
Bhupendra Bose Avenue, 70A, and bounded on the—	Full.	0.0091	0.0225	8
North—by Ramkanta Bose Street, East—by Ramkanta Bose Street, South—by Bhupendra Bose Avenue, West—by 70B, Bhupen Bose Avenue and 19, Ramkanta Bose Street.				

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy Secy. (ex officio) of the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

DARJEELING.—No. 13578-L.A. (P.W.)/1M-56/74. —18th July 1974.—Whereas 3.9093 hectares (9.66 acres), more or less, of land situated in or near the village of Kankibong described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of maintaining supplies and services essential to the life of the community, namely, for establishment of Rammam Hydel Project of West Bengal State Electricity Board;

Now, therefore, Notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This Notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern

A plan of the land may be inspected in the office the Special Land Acquisition Officer, Darjeeling.

Description of the land

Mouza Kankibong, jurisdiction list No 2, police-station Pulbazar, district Darjeeling.

Cadastral survey plots in full--904, 905, 906, 908, 909, 910, 911, 912, 954, 959, 961, 962, 963, 964, 965, 966, 967, 974 and 958/1486.

Cadastral survey plots in part :—

Plot No.	Specific portion of the plot	Area in acre.	Area in hectare
955	Northern .	·22	0·0890
953	Northern ..	·48	0·1943
957	Northern .	·01	0·0040
975	Northern ..	·63	0·2550

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 13722 L. A. (P. W.)/II-230/74.—19th July 1974.—Whereas 1·45598 hectares (3·595 acres), more or less, of land situated in or near the villages of Thakurpara and three others described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1) of the Act for the public purpose of providing facilities for irrigation, namely, for excavation of Minor 2R Dy. 22-R of Midnapore Branch Canal in connection with Kangsabati Reservoir Project ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Collector, Midnapore.

Description of the land

Mauza Thakurpara, jurisdiction list No. 847, police-station Binpore, district Midnapore.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
7	Middle	·04	·01620
8	Middle	·06	·02430
9	Middle	·05	·02025
10	Middle	·04	·01620
11	Middle	·03	·1215
12	Middle	·04	·01620
15	Middle	·04	·01620
16	Middle	·05	·02025
17	Middle	·05	·02025
20	Middle	·08	·03240
21	Middle	·08	·03240
22	North	·01	·00405
23	Middle	·06	·02430
29	Middle	·06	·02430
31	South-eastern ..	·005	·00203
32	Middle	·12	·04860
34	North-western ..	·02	·00810
35	Middle	·10	·04050
36	Southern	·05	·02025
37	Northern	·06	·02430
39	Middle	·15	·06075
40	Middle	·24	·09720
42	Southern	·08	·03240

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
43	Northern	·08	·03240
46	Middle	·13	·05265
47	Middle	·21	·08505
48	North-western ..	·01	·00405
99	Middle	·22	·08910
100	Middle	·12	·04860
102	Middle	·12	·04860
103	Middle	·06	·02430
104	Northern	·08	·03240
144/260	Northern ..	·03	·01215
21/270	Middle	·03	·01215

Mauza Chunapara, jurisdiction list No. 800, police-station Binpore, district Midnapore.

Revisional survey plot in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
31	Middle	·04	·01620
32	Middle	·04	·01620
33	Middle	·05	·02025
35	Middle	·06	·02430
36	Middle	·05	·02025
37	Middle	·03	·01215
38	Middle	·05	·02025
39	Middle	·05	·02025
40	Middle	·04	·01602
41	Middle	·07	·02835
43	Middle	·06	·02430
45	Middle	·08	·03240
47	Middle	·05	·02025
49	Middle	·08	·03240
48	Middle	·10	·04050

Mauza Dubrajpur, jurisdiction list No. 850, police-station Binpore, district Midnapore.

Revisional survey plot in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1	Northern	·04	·01620

Mauza Jungal Khas, jurisdiction list No. 785, police-station Binpore, district Midnapore.

Revisional survey plot in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
22/48	Middle	·10	·04050

By order of the Governor,

S. GHOSH,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 13712-L. A. (P.W.)/11-268/74.—19th July 1974.—Whereas 1.90755 hectares (4.71 acres), more or less, of land situated in or near the village of Taladiha described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under the said section 3(1A) of the Act for the purpose of resuscitation of river Kaliaghai and its tributaries ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Collector, Midnapore.

Description of the land

Mauza Taladiha, jurisdiction list No. 291, police-station Pataspur, district Midnapore.

Cadastral survey plots in full—2573, 2575, 2884, 2885, 2886, 2887 and 2893.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
144	North-western portion ..	.25	.10125
395	Northern portion ..	.005	.00202
2618	Northern portion ..	.20	.08100
2639	Northern portion ..	.12	.04860
2642	Northern portion ..	.15	.06075
2644	Northern portion ..	.11	.04455
2645	Northern portion ..	.29	.11745
2652	Northern portion .	.09	.03645
2654	Northern portion	.10	.04050
2655	Northern portion	.18	.07290
2680	Northern portion	.02	.00810
2681	Northern portion	.07	.02835
2682	Northern portion	.03	.01215
2684	Northern portion	.20	.08100
2687	Northern portion	.07	.02835
2688	Northern portion	.07	.02835
2689	Northern portion	.14	.05670
2696	Northern portion	.07	.02835
2697	Northern portion	.02	.00810
2698	Northern portion	.02	.00810
2699	Northern portion	.20	.08100
2700	Northern portion	.22	.08910
2721	Northern portion	.08	.03240
2888	Northern portion	.075	.03037
2892	Northern portion	02	.00810
2895	Northern portion	.04	.01620
2896	Northern portion	.03	.01215
2898	Northern portion	03	.01215
2899	Northern portion	04	.01620

By o[illegible] [illegible]overnor,

Dy. Secy. to [illegible]st Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 4028/M2S-26/73.—19th July 1974. — In exercise of the power conferred by clause (2) of sub-section (2) of section 62 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to remove Shri Haradhan Nath from his office as a Commissioner of the Taki Municipality who holds an office of profit under the Commissioners of the said Municipality in the district of 24-Parganas.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 4042/M4A-20/73. — 19th July 1974. — Whereas Government in their Notification No. 4581/M4A-48/71, dated the 11th October 1972, published at page 2108(5) of Part I of the "Calcutta Gazette, Extraordinary", of the 4th November 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), declaring that the Kalimpong Municipality in the district of Darjeeling shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in Notification No. 5100/M4A-20/73 Pt., dated the 16th November 1973, and No. 675/M4A-20/73, dated 19th March 1974, the said period of appointment was extended up to the 31st July 1974;

And whereas in the opinion of the Governor an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

In exercise of the powers conferred by sub-section (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Amal Chatterjee, W.B.C.S., 2nd Officer, Kalimpong, in addition to his own duties, shall continue as the Executive Officer of the municipality during the said extended period and that during this period the Executive Officer shall exercise and perform all the powers and duties of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal

ORDER

No. 4043/MIM-56/74.—19th July 1974.—Whereas Government by their order No. 2592/MIS-13/72, dated the 12th May 1972, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), as applied to Chandernagore superseding the Councillors and the Aldermen of the Chandernagore Municipal Corporation in the district of Hooghly for a period of one year with effect from the 13th May 1972;

And whereas by subsequent Government order No. 1624/MIS-13/72 dated the 9th May 1973 and No. 1045/MIM-56/74, dated the 25th April 1974, the said period of supersession was extended upto the 31st July 1974 ;

And whereas, in the opinion of the Governor, the extension of the period of supersession for a further term is necessary ;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is pleased to extend further the term of supersession of the Councillors and Aldermen of the Municipal Corporation up to the 31st March 1975.

2. In exercise of the power conferred by clause (bb) of sub-section (I) of section 554 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), as applied to Chandernagore, the Governor is further pleased to direct that Shri Nishikanta Das, W.B.C.S., shall, during the extended period of supersession of the Councillors and Aldermen of the Corporation, continue to exercise and perform the powers and duties conferred and imposed upon him by Notification No. 3592/MIS-13/72, dated the 27th July 1972.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DIRECTORATE OF AGRICULTURE

Marketing

ORDER

No. 1940.—2nd March 1974.—Earned leave for ninty-two days for the period from 31st March 1974 to 30th June 1974 due to the credit of Shri S. B. Biswas, Superintendent of Agricultural Marketing, Eastern Range, as preparatory to his retirement is, in the interest of public service, hereby refused in terms of rule 168 of West Bengal Service Rules, Part I, read with Note 2 thereunder.

The benefit of the above refused leave will be allowed to Shri Biswas with effect from the date of his retirement.

B. P. MONDOL,
Director of Agriculture, West Bengal.

CO-OPERATION DEPARTMENT

NOTIFICATION

No. 1043Co-op/1L-5/74. — 18th March 1974.— The Governor is pleased to allow Shri R. K. Bandyopadhyay, Assistant Secretary, Co-operation Department, earned leave for thirty days from 19th February 1974 to 20th March 1974 under rule 169(a)(i) of the West Bengal Service Rules, Part I.

By order of the Governor,

P. V. SHENOI,

Jt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATIONS

24-PARGANAS. — No. 13477-L.A.(II)/3H-5/74.—17th July 1974.—Whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for construction of a new building for Child Welfare Centre and Charitable Dispensary, in the village of Paschim Putiari, jurisdiction list No. 26, thana Behala, zilla 24-Parganas, it is hereby notified that a piece of land as described in the schedule below and measuring, more or less, .0024 of a hectare (.06 of an acre), is likely to be needed for the aforesaid public purpose partly at the public expense and partly at the expense of Shri Ramkrishna Tirtha Mission within the aforesaid village of Paschim Putiari.

This notification is made under the provisions of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Alipore, 24-Parganas (South).

In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorise the Officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of 24-Parganas.

The Schedule

Mauza Paschim Putiari, jurisdiction list No. 26, police-station Behala, district 24-Parganas.

Revisional Survey plot in part—

Plot No.	Specific portion of the plot.	Area in acre	hectare.
240	North-eastern corner	.06	.0024

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

24-PARGANAS. — No. 13482-L.A./4M-15/67.—17th July 1974.—The Governor is pleased to cancel the Notification No. 18197-L.A., dated the 12th December 1967, under section 4 of the Land Acquisition Act, 1894, published at pgae 69, Part I of the "Calcutta Gazette", dated the 11th January 1968, in respect of acquisition of .5340 hectare (1.3196 acres) of land required for the establishment of park and play ground in the village of Purba Sinthee, jurisdiction list No. 22, police-station Dum Dum, district 24-Parganas.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

HOWRAH. — No. 13487-L.A./18-10/64(i).—17th July 1974.—The Governor is pleased to cancel the Notification No. 8936-L.A., dated the 19th May 1964, under section 4 of the Land Acquisition Act, 1894 (Act I of 1894), published at page 1495, Part I of the "Calcutta Gazette" of the 18th June 1964, in respect of the acquisition of 0.1984 of an acre of land required for the expansion of Howrah Shiksha Sadan, Howrah, in Ward No. 19 (old Ward No. VII) of Howrah Municipality, police-station Howrah, district Howrah.

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

JALPAIGURI. — No. 13492-L.A.(II)/2R-11/74.—17th July 1974—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by Notification No. 20/1/55-Judl.(1), dated the 14th May 1955, issued by Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India as S.R.O. 1074 and published at page 868, Part II, Section 3, of the "Gazette of India", dated the 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for the construction of Broad Gauge Railway in connection with development of capacity of Oil Traffic to Assam in the village of Debgram, jurisdiction list No. 2, Sheet No. 2, police-station Rajganj, district Jalpaiguri, it is hereby notified that a piece of land comprising cadastral survey plot No. 599, and measuring more or less, .2833 of a hectare (.70 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Debgram.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894. read with the said notification, to all whom it may concern.

A plan of the land may be inspected in the office of the Deputy Commissioner, Jalpaiguri.

In exercise of the powers conferred by the said section read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality file an objection in writing before the Deputy Commissioner, Jalpaiguri.

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 4047/MIM-29/74. — 20th July 1974. — Whereas Government in their Notification No. 4578/MIM-66/72, dated the 11th October 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Barrackpore Municipality in the district of 24-Parganas shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office.

And whereas in Notification No. 4033/MIM-66/72, dated the 29th September 1973, and No. 2086/MIM-66/72, dated the 17th May 1974, the said period of appointment was extended upto the 31st July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (I) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period upto the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Act, the Governor is further pleased hereby to direct that Shri Ajit Kumar Dutta, Sub-Deputy Magistrate and Sub-Deputy Collector, shall continue as the Executive Officer of the Barrackpore Municipality during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 5192/MIM-66/72, dated the 27th November 1972.

By order of the Governor,

K. P. GORAI, Dy. Secy. to the Govt. of West Bengal.

No. 4050/M2A-25/72Pt.I.—20th July 1974.—Whereas Government in their Notification No. 2063/M2A-25/72, dated the 8th April 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Kanchrapara Municipality in the district of 24-Parganas shall have an Executive Officer, from the date on which the Executive Officer, assumes charge of his office upto the 15th September 1972;

And whereas in Notification No. 3999/M2A-25/72, dated the 23rd August 1972, No. 953/M2A-25/72, dated the 17th March 1973, No. 4032/M2A-25/72, dated the 29th September 1973, and No. 2043/M2A-25/72, dated the 11th May 1974, the said period of appointment was extended upto the 31st July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period upto the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri A. K. Basu, Deputy Magistrate and Deputy Collector, Barasat, shall continue as the Executive Officer of the Kanchrapara Municipality, in addition to his own duties during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 876/M2A-25/72Pt.I., dated 5th April 1974.

By order of the Governor,

K. P. GORAI, Dy. Secy.
to the Govt. of West Bengal.

No. 4052/M2A-24/73. — 20th July 1974. — Whereas Government in their Notification No. 112/M2L-31/69, dated the 13th January 1971, published at pages 61-62 of Part I of the "Calcutta Gazette" of the 13th January 1971, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, declaring that the Krishnagar Municipality in the district of Nadia shall have an Executive Officer for a period of one year from the date on which he takes over charge;

And whereas in Notification No. 540/M2A-14/71Pt.II, dated the 10th February 1972, No. 3134/M2A-14/71Pt.II, dated the 26th June 1972, No. 4414/M2A-14/71Pt.II, dated the 25th September 1972, No. 600/M2A-14/71Pt.II, dated the 22nd February 1973, No. 3372/M2A-14/73, dated the 24th September 1973, No. 104/M2A-24/73, dated the 17th January 1974, and No. 309/M2A-24/73, dated the 6th February 1974, the said period of appointment was extended upto the 30th June 1974;

And whereas in the opinion of the Governor, further extension of the said period is necessary;

Now, therefore, in exercise of the power conferred by the proviso to sub-section (1) of section 67A of the said Act, the Governor is pleased to extend the said period upto 31st December 1974.

In exercise of the power conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Sasanka Sekhar Biswas, Special Officer, Grade II, under the Department of Municipal Services, shall continue as the Executive Officer of the Krishnagar Municipality, until further order, and to direct that he shall, during the said extended period, exercise and perform the powers and duties of the Commissioners of the said Municipality as specified in Government Notification No. 112/M2L-31/69, dated the 13th January 1971.

By order of the Governor,

K. P. GORAI, Dy. Secy.
to the Govt. of West Bengal.

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PART V.—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

THE INDIAN IRON AND STEEL COMPANY (TAKING OVER OF MANAGEMENT) AMENDMENT ORDINANCE, 1974

No. 4 of 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

An Ordinance to amend the Indian Iron and Steel Company (Taking Over of Management) Act, 1972.

WHEREAS the management of the undertaking of the Indian Iron and Steel Company Limited had vested in the Central Government for a limited period of two years with effect from the 14th day of July, 1972;

AND WHEREAS the said limited period of two years will expire on the 13th day of July, 1974;

AND WHEREAS the Central Government is of opinion that it is expedient in the public interest that the management of the undertaking of the Indian Iron and Steel Company Limited should continue to vest in the Central Government for a further limited period beyond the 13th day of July, 1974;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title and commencement

1. (1) This Ordinance may be called the Indian Iron and Steel Company (Taking Over of Management) Amendment Ordinance, 1974.

(2) It shall come into force at once.

Act 50 of 1972 to be temporarily amended.

2. During the period of operation of this Ordinance, the Indian Iron and Steel Company (Taking Over of Management) Act, 1972 (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 to 11.

Amendment of section 2.

3. In section 2 of the principal Act, after clause (a), the following clause shall be inserted, namely:—

'(aa) "Board of management" means the Board of management constituted under section 4A;'.

Amendment of section 3

4. In section 3 of the principal Act,—

(i) in sub-section (1), for the words "two years", the words "five years" shall be substituted;

(ii) to sub-section (1), the following proviso shall be added, namely:—

"Provided that if the Central Government is of opinion that it is expedient in the public interest that the management of the undertaking of the company should continue to vest in the Central Government after the expiry of the period of five years aforesaid, it may, from time to time, issue directions for such continuance for such further period, not exceeding two years at a time, as may be specified in the directions; so, however, that the total period of such continuance, including the period of five years aforesaid, shall not exceed ten years; and where any such direction is issued, a copy thereof shall be laid, as soon as may be, before both Houses of Parliament.".

Insertion of new sections 4A, 4B, 4C, 4D and 4E.

5. After section 4 of the principal Act, the following sections shall be inserted, namely:—

Board of management.

"4A. (1) There shall be a Board of management consisting of one Chairman and not less than four and not more than fourteen other members.

(2) The Chairman and other members of the Board of management shall be appointed by the Central Government and shall hold office during the pleasure of the Central Government.

(3) Such of the members of the Board of management as may be specified by the Central Government as whole-time members may be placed in charge of such functions of management of the undertaking of the company as may be specified by that Government.

(4) The Chairman and other members of the Board of management shall receive from the funds of the undertaking of the company such allowances as may be prescribed for attending any meeting of the Board of management.

4B. (1) On the commencement of the Indian Iron and Steel Company (Taking Over of Management) Amendment Ordinance, 1974, the Central Government may, by notification in the Official Gazette, direct that on and from such date as may be specified in the notification, the general superintendence, direction and management of the affairs and business of the undertaking of the company shall be carried on, for and on behalf of the Central Government, by the Board of management.

Board of management to manage the undertaking of the company.

(2) Subject to the other provisions of this Ordinance and to the direction, control and supervision of the Central Government, the Board of management shall be entitled, notwithstanding anything contained in the Companies Act, 1956, to exercise, in relation to the undertaking of the company, all the powers of the Board of Directors of a company (including powers to dispose of any properties or assets of the company), whether such powers are derived from the Companies Act, 1956, or from the memorandum or articles of association of the company or from any other source.

1 of 1956.

4C. (1) There shall be an Administrator, to be appointed by the Central Government, to assist the Board of management to manage the affairs of the undertaking of the company.

Appointment of an Administrator.

(2) The Chairman or any other member of the Board of management may be appointed by the Central Government as the Administrator.

(3) All officers and other persons employed in connection with the affairs of the undertaking of the company shall be subordinate to the Administrator.

(4) The Administrator shall exercise, subject to the direction, control and supervision of the Board of management, such powers and discharge such functions of management in relation to the undertaking of the company as the Central Government may specify in this behalf.

(5) The Administrator shall receive from the funds of the undertaking of the company such remuneration as the Central Government may fix.

4D. (1) The Custodian shall, on and from the date on which the management of the undertaking of the company is taken up by the Board of management, vacate his office as such; but nothing in this sub-section shall be construed as prohibiting his appointment as a member of the Board of management or as the Administrator.

Custodian to vacate office.

(2) On the vacation of his office, the Custodian shall, where he is not appointed as the Administrator, forthwith deliver to the Administrator possession of all assets and properties of the company which are in his possession, custody and control on the date immediately preceding the date on which he vacates his office as the Custodian.

4E. (1) The Board of management shall meet for the transaction of its business at such time and place as it may think fit:

Meetings, etc., of the Board of management.

Provided that the Chairman may, whenever he thinks fit, and shall, upon the written requisition of not less than two members, call a special meeting.

(2) The quorum for a meeting of the Board of management shall be one-third of its total strength (any fraction contained in that one-third be rounded off as one) or three members, whichever is higher.

(3) The Chairman, or, in his absence, any member chosen by the members present from amongst themselves, shall preside at a meeting of the Board of management.

(4) All questions which come up before any meeting of the Board of management shall be decided by a majority of votes of the members present and voting, and in the case of an equality of votes, the Chairman, or, in his absence, the person presiding, shall have a second or casting vote.

(5) All orders and decisions of the Board of management shall be authenticated by the signature of the Chairman or any other member authorised by the Board of management in this behalf and all other instruments issued by the undertaking of the company shall be authenticated with the signature of the Administrator or any other officer of the undertaking of the company authorised by the Board of management in this behalf.

(6) The Board of management shall regulate its own procedure.".

Omission of section 5.

6. Section 5 of the principal Act shall be omitted.

Amendment of section 7.

7. In section 7 of the principal Act, in sub section (*1*), for the words "period of two years referred to in that sub-section", the words "period of five years referred to in that sub-section or the further period specified in any directions made under the proviso thereto" shall be substituted.

Amendment of section 9.

8. In section 9 of the principal Act, for the word "Custodian", wherever it occurs, the words "Administrator, Board of management or Custodian" shall be substituted.

Amendment of section 12.

9. In section 12 of the principal Act, after the words "any notification,", the word "direction," shall be inserted.

Amendment of section 13.

10. In section 13 of the principal Act, for the word "Custodian", wherever it occurs, the words "Administrator, Board of management or Custodian" shall be substituted.

Amendment of section 16.

11. In section 16 of the principal Act, in sub-section (2), for clause (*a*), the following clause shall be substituted, namely:—

"(*a*) allowances which may be received by the Chairman and other members of the Board of management for attending any meeting of the Board of management ;".

V. V. GIRI,
President.
28-6-74

S. K. MAITRA,
Joint Secy. to the Govt. of India.

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ASADHA 31] MONDAY, JULY 22, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

PURULIA.—No. 13858-L. A. (P. W.)/1M-112/73.—22nd July 1974.—Whereas 5·4430 hectares (13·45 acres), more or less, of land situated in or near the village of Shyampur, described below, have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of maintaining supplies and services essential to the life of the community, namely, for Thermal Power Project (Oxidation Pond for Santaldih Thermal Power Project) ,

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

Mines of coal, iron-stone, slate or other minerals lying under the land or any particular portion of the land are not needed.

This notice is given under the provisions of sub-section (Ia) of section 4 read with section 5A of the West Bengal Land (Requisition and Acquisition) Act, 1948, (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Purulia.

Description of the land

Mouza Shyampur, jurisdiction list No. 62, police-station Para, district Purulia.

Cadastral survey plots in full—73, 103, 104, 105, 106, 107, 108, 109, 110, 111, 124, 125, 127, 129, 130, 132, 144, 147.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
72	Eastern	2·85	1·1534
74	Northern	·05	·0202
75	Western	2·00	·8094
100	Western	·54	·2185
102	Western	·07	·0283
113	Northern	·63	·2549
116	Northern	·19	·0769
117	North-eastern ..	·95	·3844
118	Northern	·20	·0809
126	Northern	·24	·0971
128	Northern	1·50	·6070
133	South-eastern ..	·03	·0121
135	Southern	·40	·1619
136	Western	·24	·0971
143	Western	·08	·0324
145	Western	·06	·0243
146	Western	·01	·0040
148	Western	·03	·0121
149	Western	·09	·0364
162	Northern	·56	·2266

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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ASADHA 31] MONDAY, JULY 22, 1974 [SAKA 1896

PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

THE PRESS COUNCIL (AMENDMENT) ORDINANCE, 1974

No. 3 of 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

An Ordinance further to amend the Press Council Act, 1965.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (*1*) This Ordinance may be called the Press Council (Amendment) Ordinance, 1974.

(*2*) It shall come into force at once.

Act 34 of 1965 to be temporarily amended.

2. During the period of operation of this Ordinance, the Press Council Act, 1965 (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in section 3.

Amendment of section 5.

3. In section 5 of the principal Act, in sub-section (*1A*),—

(*a*) in the opening portion, for the words, figures and letters "the Chairman and other members holding office as such on the 30th day of September, 1973, shall continue to hold such office until the 30th day of June, 1974:", the words, figures and letters "the Chairman and other members holding office as such on the 29th day of June, 1974, shall continue to hold such office until the 31st day of December, 1974:" shall be substituted;

(*b*) in the proviso, in clause (*a*), for the figures, letters and words "30th day of June, 1974", the figures, letters and words "31st day of December, 1974" shall be substituted.

V. V. GIRI,
President.
28-6-74

S. K. MAITRA,
Joint Secy. to the Govt. of India.

THE ALCOCK ASHDOWN COMPANY LIMITED (ACQUISITION OF UNDERTAKINGS) AMENDMENT ORDINANCE, 1974

No. 5 of 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

An Ordinance to amend the Alcock Ashdown Company Limited (Acquisition of Undertakings) Act, 1973.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (*1*) This Ordinance may be called the Alcock Ashdown Company Limited (Acquisition of Undertakings) Amendment Ordinance, 1974.

(*2*) It shall be deemed to have come into force on the 14th day of December, 1973.

Amendment of section 4.

56 of 1973.

2. In section 4 of the Alcock Ashdown Company Limited (Acquisition of Undertakings) Act, 1973, to sub-section (*1*), the following *Explanation* shall be added, namely:—

'*Explanation.*—For the avoidance of doubts, it is hereby declared that the expression "undertakings of the company" does not include—

(*a*) any debts due to the company; and

(*b*) any amounts recoverable by the company from its shareholders or directors.'.

V. V. GIRI,
President.
28-6-74

S. K. MAITRA,
Joint Secy. to the Govt. of India.

THE INDUSTRIES (DEVELOPMENT AND REGULATION) AMENDMENT ORDINANCE, 1974

No. 6 of 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

An Ordinance further to amend the Industries (Development and Regulation) Act, 1951.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (*1*) This Ordinance may be called the Industries (Development and Regulation) Amendment Ordinance, 1974. Short title and commencement.

(2) It shall come into force at once.

2. During the period of operation of this Ordinance, the Industries (Development and Regulation) Act, 1951 (hereinafter referred to as the principal Act) shall have effect subject to the amendment specified in section 3. Act 65 of 1951 to be temporarily amended.

3. In the proviso to sub-section (2) of section 18A of the principal Act, for the words "ten years", the words "twelve years" shall be substituted. Amendment of section 18A.

V. V. GIRI,

President.

29-6-74

S. K. MAITRA,

Joint Secy. to the Govt. of India.

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RAVANA 1] TUESDAY, JULY 23, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

RESOLUTION

No. 6072P.—22nd July 1974.—In connection with the grant of pension to freedom fighters and the installation in Calcutta and the Community Development Blocks, of commemorative stones with names of martyrs and freedom fighters of the respective area inscribed thereon under the Government of India Scheme, the Governor is pleased to set up a committee for each district with the members mentioned in the schedule hereunder.

2. The terms of reference of the Committee will be as follows:

(i) The Committee will scrutinise such cases of freedom fighters applying for pension as may be referred to it by the State Advisory Committee constituted by this Department resolution No. 5369P., dated the 18th June 1973, published at page 2145 of Part I of the "Calcutta Gazette, Extraordinary", dated the 18th June 1973.

(ii) The Committee on being satisfied about the political sufferings of applicants and after taking such evidence as may be necessary will forward to the State Advisory Committee the cases with its views as to their eligibility for pension under the Government of India Scheme.

(iii) The Committee will prepare block-wise lists of martyrs and freedom fighters of the respective area whose names are to be inscribed on commemorative stones, taking into consideration the cases which have already been verified by Government and will make appropriate recommendations to the Government in the Home (Political) Department through the District Magistrate in the light of its findings.

3. The Committee will devise its own procedure and may call for such information and take such evidence as it may consider necessary.

Order

Ordered that the Resolution be published in the "Calcutta Gazette" for general information.

Ordered further that a copy of the resolution be forwarded to all the members of the Committee, to all Departments, to all the Divisional Commissioners and to all the District Officers of this Government for information.

SCHEDULE

Committee for the district of Howrah

Chairman

Shri Bijoy Krishna Bhattacharya, ex-M.L.A., 81 Sibpur Road, Howrah.

Members

(1) Shri Bibhuti Ghosh, ex-M.L.A., Uluberia, Howrah.

(2) Shri Amal Ganguly, ex-M.L.A., Bagnan, Howrah.

(3) Shri Bholanath Mal, Ichapur Road, Canalside, Howrah.

(4) Shri Ashutosh Bhattacharyya, South Jhapardaha, Howrah.

Committee for the district of 24-Parganas

Chairman

Shri Monoranjan Gupta, Jadavpur.

Members

(1) Shri Kanti Ranjan Chatterjee, M.L.A., P.O. Barasat.
(2) Shri Krishna Kumar Sukla, M.L.A., Barrackpore.
(3) Dr. Narendra Nath Chatterjee, North Dum Dum.
(4) Shri Sachindra Lal Kar Gupta, Habra.
(5) Shri Ajit Ganguly, M.L.A., Bongaon.
(6) Shri Pulin Mukherjee, P.O. Barasat.
(7) Shri Dinabandhu Das, Hingalganj, Basirhat.
(8) Shri Sudeb Bhusan Ghosh, Acharya Prafulla Colony, Habra.
(9) Shri Bidyut Bose, Matijhill, Dum Dum.
(10) Shri Baidyanath Ghosh, North Dum Dum.
(11) Shri Biren Ghatak, Sarsuna Main Road, Calcutta-61.
(12) Shri Phani Bhusan Dutta, c/o. Shri Pankaj Banerjee, 142 Gandhi Colony, Calcutta-40.

Committee for the district of Hooghly

Chairman

Shri Prafulla Chandra Sen, M.L.A.

Members

(1) Shri Sankari Prosad Mukherjee, Netaji Subhash Road, Serampore.
(2) Dr. Bibhuti Dutta, Tribeni.
(3) Shri Shyamadas Banerjee, Bhagirathi Lane, Serampore.
(4) Shri Bishnu Banerjee, President, West Bengal National Trade Union Congress, Bhagirathi Lane, Serampore.
(5) Shri Rasik Lal Banerjee, P.O. Makla, police-station Uttarpara.
(6) Shri Ramapati Chatterjee, son of late Bhupati Chatterjee, 24 Rajyadharpur Government Colony, P.O. Serampore.
(7) Shri Jamini Kanta Ghosal Chowdhury, Nabagram Colony, P.O. Konnagore.
(8) Shri Pabitra Kumar Nag, Rabindra Nagar Colony, Flat No. 248, P.O. Chinsurah.
(9) Shri Bijoy Modak, M.P.
(10) Shri Ajit Kumar Bose, M.L.A.

Committee for the district of Nadia

Chairman

Shri Niranjan Modak, ex-M.L.A. Harisabhapara, P.O. Nabadwip, Nadia.

Members

(1) Shri Gopendra Nath Mukherjee, Vill. & P.O. Muragacha, Nadia.
(2) Shri Naba Kumar Mandal, Vill. & P.O. Shyamnagar, via Tehatta, Nadia.
(3) Shri Bibhuti Bhusan Poddar, c/o. Shri Sumangal Biswas, Rupashreepalli, Ranaghat, Nadia.

Committee for the district of Midnapore

Chairman

Shri Basanta Kumar Das, P.O. Contai.

Members

(1) Shri Sudhir Chandra Das, P.O. Contai.
(2) Dr. Rash Behari Paul, P.O. Contai.
(3) Shri Sukumar Ghosh, Production Centre, Tantigeria, P.O. Midnapore.
(4) Shri Bijoy Kumar Ghosh, P.O. Midnapore.
(5) Shri Nagendra Nath Sen, P.O. Aloke Kendra, district Midnapore.
(6) Shri Dhananjoy Kar, P.O. Jhargram.
(7) Shri Arabinda Maity, P.O. Ghatal.
(8) Shri Gopinandan Goswami, P.O. Mohishadal.
(9) Shri Anil Modi, P.O. Tamluk.

Committee for the district of Bankura

Chairman

Shri Bhabataran Chakraborty, M.L.A., P.O. Bishnupur, Bankura.

Members

(1) Shri Sishuram Mondal, P.O. Amarkanan, Bankura.
(2) Shri Ramlochan Mukherjee, P.O. Amarkanan, Bankura.
(3) Shri Ramkrishna Das, Rampur, P.O. and district Bankura.
(4) Shri Purna Chandra Mondal, Vill. Beha, P.O. Jamboni, Bankura.
(5) Shri Nakuleswar Chatterjee, P.O. and Vill. Gorasole, Bankura.
(6) Sm. Nanibala Guha, Vill. and P.O. Akui, Bankura.
(7) Shri Sushil Kumar Palit, Vill. and P.O. Betur, Bankura
(8) Sm. Satyarani Haldar, Vill. and P.O. Sonamukhi, Bankura.
(9) Shri Kali Kamal Basu, P.O. Bishnupur, Bankura.
(10) Shri Janmejoy Subuddhi, P.O. Khatra, Bankura.

Committee for the district of Purulia

Chairman

Shri Sagar Chandra Mohato, Vill. Sindri, P.O. Fatepursindri, Purulia.

Members

(1) Shri Brindaban Mahato, P.O. and Vill. Ichag, Purulia.
(2) Shri Chandra Sekhar Mahato, P.O. and Vill. Majhihira, Purulia.
(3) Shri Biswanath Sao, P.O. and Vill Purulia.

Committee for the district of Murshidabad

Chairman

Shri Rezaul Karim, Gorabazar P.O. Berhampore, Murshidabad.

Members

(1) Shri Durgapada Singha, P.O. Jiaganj, Murshidabad.

(2) Shri Jnanendra Nath Sengupta, P.O. Berhampore, Murshidabad.

(3) Shri Sabita Sekhar Roy Chowdhury, Gorabazar, P.O. Berhampore, Murshidabad.

Committee for the district of Malda

Chairman

Shri Niren Singh, M.L.A., Ratua, Malda.

Members

(1) Shri Mahababul Haque, M.L.A., Kharba, Malda.

(2) Shri Nikhil Behari Gupta, Advocate, Malda.

(3) Shri Bibek Sen Sarma, Advocate, Malda.

Committee for the District of West Dinajpur

Chairman

Shri Nisith Nath Kundu, P.O. Raigunj, West Dinajpur.

Members

(1) Shri Satindra Nath Basu Balurghat, West Dinajpur.

(2) Shri Khagendra Nath Mondal, P.O. Raiganj, West Dinajpur.

(3) Shri Jiten Mazumder, Advocate, P.O. Raiganj, West Dinajpur.

Committee for the district of Burdwan

Chairman

Shri Narayan Choudhury, Kali Bazar, P.O. and district Burdwan.

Members

(1) Shri Bejoy Kumar Bhattacharya, P.O. Kalanabagram, Burdwan.

(2) Shri Fakir Chandra Roy, C/o. Hazra Co., B. C. Road, Burrabazar, Burdwan.

(3) Shri Prasanta Kumar Ganguly, Shankaripukur, P.O. and district Burdwan.

(4) Shri Jay Narayan Sharma, P.O. Barakar, district Burdwan.

Committee for the district of Birbhum

Chairman

Shri Ambikesh Chatterjee, P.O. Karidhya, district Birbhum.

Members

(1) Shri Suren Sarkar, P.O. Khoyrasol, district Birbhum.

(2) Shri Durga Pada Das, P.O. Nalhati, district Birbhum.

(3) Shri Amar Sarkar, P.O. Bolpur, district Birbhum.

(4) Shri Nrisingha Kaviraj, P.O. Suri, district Birbhum.

(5) Shri Niranjan Khatua, Khatanga Gandhi Ashram, P.O. Khatanga, district Birbhum.

Committee for the district of Jalpaiguri

Chairman

Shri Charu Chandra Sanyal, Jalpaiguri.

Members

(1) Shri Jatindra Nath Mukherjee, Falakata, Jalpaiguri.

(2) Shri Anil Kumar Roy, Dhupguri, Jalpaiguri.

(3) Shri Rabindra Nath Sikdar, Jalpaiguri.

(4) Shri Pijus Mukherjee, Alipurduar, Jalpaiguri.

(5) Shri Sasadhar Kar, Jalpaiguri.

Committee for the district of Darjeeling

Chairman

Sm. Sabitri Devi, Galvin Road, Kurseong, Darjeeling.

Members

(1) Shri Sheo Mangal Singh, Siliguri, Darjeeling.

(2) Shri Gaya Tshering Lepcha, Bhutia Bustee, Darjeeling.

Committee for the district of Cooch Behar

Chairman

Shri Parimal Kanta Roy, P.O. and district Cooch Behar.

Members

(1) Shri Phani Bhusan Sarkar C/o. Shri Rajendra Nath Chattopadhyay, P.O. Dinhata, Cooch Behar.

(2) Shri Jiban Dey, P.O. Tufangunj Cooch Behar.

(3) Shri Dwijendranath Dutta, Vill. Dodeyarhat, P.O. Kharijakakribari, district Cooch Behar.

(4) Shri Motilal Das, New Town, P.O. and district Cooch Behar.

By order of the Governor,

B. R. GUPTA,

Chief Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATIONS

PURULIA.—No. 13899 L. A. (P. W.)/11-283/74.—22nd July 1974.—Whereas 3·1788 hectares (7·855 acres), more or less, of land situated in or near the village of Bhuiyadih described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for excavation of canal in connection with Mazra Irrigation Scheme;

Now, therefore, notice is hereby given that in pursuance of section 4 of the Said Act the Governor acquires such land being required for a public purpose as aforesaid.

Mines of coal, iron-stone, slate or other minerals lying under the land or any particular portion of the land are not needed.

This notice is given under the provisions of sub-section (Ia) of section 4 read with section 5A of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Purulia.

Description of the land

Mauza Bhuiyadih, jurisdiction list No. 170, police-station Kashipur, district Purulia

Cadastral survey plots in full—519, 520, 720, 733 734, 744, 745, 748, 1112, 1113, 1114, 1618, 1619, 1620 1644 and 1657.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
477	Southern	·0025	·0010
494	Southern	·005	·0020
498	Southern	·0025	·0010
502	Southern	·02	·0081
505	Middle	·09	·0364
506	Northern	·01	·0040
507	Northern	·01	·0040
508	Northern	·08	·0324
509	Middle	·09	·0364
511	Northern	·04	·0162
513	Northern	·0025	·0010
514	Middle	·03	·0121
515	Middle	·15	·0607
517	Southern	·01	·0040
518	Southern	·17	·0688
521	Southern	·12	·0485
522	Southern	·05	·0202
528	Southern	·01	·0040
532	Southern	·07	·0283

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
533	Entire plot leaving a small portion in the western side.	·08	·0324
534	Western	·44	·1781
535	Southern	·09	·0364
537	Middle	·07	·0283
698	South-east	·015	·0060
699	Eastern	·005	·0020
712	Eastern	·03	·0121
713	North-east	·03	·0121
714	Western	·015	·0060
715	Middle	·08	·0324
716	North-west ..	·01	·0040
717	North-east ..	·04	·0162
718	North-east	·01	·0040
719	Eastern	·04	·0162
721	Entire plot leaving a small portion in the southern side.	·03	·0121
722	South-east	·0275	·0111
723	Western	·01	·0040
729	Western	·19	·0769
731	South-eastern ..	·1175	·0475
732	South-eastern ..	·05	·0202
735	Western	·07	·0283
736	Western	·03	·0121
737	Middle	·30	·1214
738	North-eastern ..	·01	·0040
740	Eastern	·14	·0567
743	Eastern	·05	·0202
746	Western	·16	·0648
747	Entire plot leaving a small portion in the north side.	·08	·0324
749	Southern	·10	·0405
755	Western	·01	·0040
753	South-west	·01	·0040
859	Western	·02	·0081
862	Middle	·09	·0364
863	Eastern	·04	·0162
866	Eastern	·02	·0081
869	Eastern	·01	·0040
872	Eastern	·05	·0202
892	Middle	·25	·1012
893	Western	·02	·0081
894	Eastern	·09	·0364
896	Eastern	·04	·0162
907	Middle	·07	·0283
908	Middle	·11	·0445
911	Eastern	·11	·0445
912	Western	·0025	·0010
913	Western	·0025	·0010
914	Western	·04	·0162
933	North-west ..	·0025	·0010
935	Western	·12	·0485
1111	Western	·01	·0040
1115	Western	·03	·0121
1119	Northern	·02	·0081
1185	Northern	·04	·0162
1186	Northern	·04	·0162
1187	Northern	·05	·0202
1188	Southern	·0275	·1123
1189	Southern	·0025	·0010
1190	South-east	·0025	·0010
1192	Southern	·02	·0081
1193	Southern	·02	·0081
1418	Eastern	·04	·0162
1419	Eastern	·063	·0263
1422	Southern	·015	·0060
1421	Middle	·06	·0243
1426	South-west	·0175	·0708
1427	Entire plot leaving a small portion in north-west.	·0575	·0532
1428	North-eastern ..	·005	·0020
1431	Middle	·24	·0971
1435	Middle	·04	·0162
1437	Northern	·04	·0162
1438	Entire plot leaving a small portion in the north-east corner	·0175	·0070
1439	Western	·0025	·0010
1441	Middle	·05	·0202
1445	Western	·005	·0020
1446	Entire plot leaving a small portion in the east and west side.	·06	·0243
1447	Western	·0025	·0010
1549	Middle	·06	·0243
1550	Middle	·21	·0850
1553	Eastern	·0025	·0010
1556	Middle	·09	·0364
1605	Northern	·02	·0081
1606	Western	·09	·0364
1608	Western	·05	·0202
1609	Eastern	·025	·0101
1555	Middle	·11	·0445
1621	Southern	·03	·0121
1622	Southern	·03	·0121
1639	Southern	·12	·0485
1641	Southern	·20	·0809
1642	Middle	·11	·0445
1645	Northern	·025	·0101
1643	Western	·16	·0643
1648	Northern	·01	·0040
1649	Southern	·06	·0243
1655	South-west ..	·015	·0060
1656	Southern	·04	·0162
1658	Southern	·14	·0567
1659	Southern	·01	·0040
1663	Middle	·065	·0263
1664	Southern	·01	·0040
1665	Northern	·05	·0202
1666	Northern	·03	·0121
1667	Northern	·02	·0081
1668	Northern	·0125	·0505
1720	Northern	·0025	·0010
1721	Northern	·05	·0202
1714/1981	Western ..	·03	·0121
1662	Southern	·0025	·0010

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

PURULIA.—No. 13904 L. A. (P. W.)/II-313/74.—22nd July 1974.—Whereas 3·70 hectares (9·15 acres), more or less of land situated in or near the village of Dhanara described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for excavation of canal in connection with Majra Irrigation Scheme ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires

such land being required for a public purpose as aforesaid.

Mines of coal, iron-stone, slate or other minerals lying under the land or any particular portion of the land are not needed.

This notice is given under the provisions of sub-section (1a) of section 4 read with section 5A of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Purulia.

Description of the land

Mauza Dhamara, jurisdiction list No. 168, police-station Kashipur, district Purulia

Cadastral survey plots in full—362, 368, 389, 391, 407, 411, 957, 1686, 1775, 1947, 1948, 1949, 1950, 1954 and 1991.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
300	South-eastern ..	·015	·0060
301	Eastern	·02	·0081
303	Western	·23	·0931
304	Middle	·11	·0445
350	Northern	·05	·0202
356	North-east corner ..	·0025	·0010
357	Entire plot leaving a small portion in the south-west corner.	·035	·0141
358	Southern	·06	·0243
361	Southern	·02	·0081
363	Northern	·01	·0040
364	Northern	·025	·0101
365	Southern	·04	·0162
367	Entire plot leaving a small portion in the north.	·0275	·0111
369	Southern	·06	·0243
386	Southern	·0025	·0010
387	Entire plot leaving a small portion in the north.	·0075	·0030
388	Northern	·03	·0121
390	South-western ..	·03	·0121
392	Northern	·0125	·0050
393	Northern	·005	·0020
405	Entire plot leaving a small portion in the east.	·04	·0162
406	Northern	·005	·0020
408	Northern	·08	·0324
410	South-east	·005	·0020
412	Southern	·02	·0081
413	Middle	·035	·0141
414	Northern	·05	·0202
415	Southern	·05	·0202
911	Middle	·03	·0121
919	Middle	·05	·0202
920	North-east corner ..	·005	·0020
921	Eastern	·08	·0324
933	Middle	·17	·0688
934	Northern	·02	·0081
935	North-eastern ..	·12	·0485
936	Southern	·0025	·0010
943	Middle	·12	·0485
950	Southern	·005	·0020
951	Middle	·09	·0364
952	North-western ..	·10	·0405
953	North-western ..	·05	·0202
956	Southern	·02	·0081
958	Southern	·01	·0040
959	Middle	·10	·0405
961	Northern	·01	·0040
975	Northern	·03	·0121
1036	Northern	·04	·0162
1037	Northern	·04	·0162
1042	Northern	·02	·0081
1043	Southern	·03	·0121
1047	Southern	·03	·0121
1048	Southern	·03	·0121
1076	Western	·04	·0152
1077	Western	·005	·0020
1078	Eastern	·29	·1174
1079	Eastern	·06	·0243
1081	Eastern	·03	·0121
1082	Middle	·18	·0729
1137	Middle	·20	·0809
1142	Southern	·12	·0485
1144	Eastern	·005	·0020
1145	Eastern	·08	·0384
1146	South-east	·18	·0729
1147	Entire plot leaving a small portion in the north-east.	·20	·0809
1150	Entire plot leaving a small portion in the north-west.	·07	·0283
1151	Entire plot leaving a small portion in the north-west.	·065	·0263
1452	North-west ..	·045	·0182
1169	Middle	·07	·0283
1170	Southern	·01	·0040
1171	Southern	·01	·0040
1181	North-western ..	·19	·0769
1367	Middle	·025	·0101
1369	Eastern	·025	·0101
1371	Middle	·03	·0121
1391	Middle	·02	·0081
1392	Northern	·01	·0040
1394	Middle	·02	·0081
1395	Eastern	·01	·0040
1397	Southern	·02	·0081
1399	Eastern	·04	·0162
1452	South-western ..	·01	·0040
1454	Southern	·02	·0081
1455	Southern	·06	·0243
1459	Middle	·08	·0324
1462	South-western ..	·01	·0040
1463	Northern	·04	·0162
1470	Northern	·03	·0121
1471	Northern	·02	·0081
1472	Southern	·02	·0081
1475	Middle	·08	·0324
1489	Eastern	·025	·0101
1490	Eastern	·0175	·0070
1491	Entire plot leaving a small portion in the south-east corner	·04	·0162
1492	Middle	·02	·0081
1493	Western	·03	·0121
1494	Western	·0025	·0010
1499	Middle	·05	·0202
1500	Eastern	·0025	·0010

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1501	Eastern	·03	·0121
1502	Western	·035	·0141
1503	Western	·02	·0081
1504	Eastern	·02	·0081
1508	Eastern	·04	·0162
1609	Middle	·065	·0263
1510	Entire plot leaving a small portion in the eastern side.	·0175	·0070
1511	Western	·0025	·0010
1514	Western	·02	·0081
1515	Western	·0025	·0010
1643	South-west corner ..	·01	·0040
1645	Middle	·11	·0445
1646	Middle	·06	·0243
1647	Middle	·07	·0283
1676	Southern	·03	·0121
1677	Middle	·10	·0405
1678	Middle	·05	·0202
1685	Eastern	·04	·0162
1687	North-west corner ..	·01	·0040
1690	Middle	·03	·0121
1691	Eastern	·01	·0040
1706	Eastern	·0025	·0010
1707	Middle	·06	·0243
1710	Middle	·10	·0405
1740	Middle	·06	·0243
1744	Southern	·02	·0081
1745	Middle	·04	·0162
1746	Western	·03	·0121
1747	North-west corner ..	·005	·0020
1748	Middle	·03	·0121
1750	Middle	·04	·0162
1752	North-west corner ..	·09	·0364
1754	Middle	·34	·1376
1760	Middle	·16	·0648
1772	Entire plot leaving a small portion in north-west side.	·05	·0202
1773	Eastern	·04	·0162
1774	Middle	·11	·0445
1776	Western	·01	·0040
1778	Western	·07	·0283
1784	Western	·015	·0060
1785	Western	·08	·0324
1786	Eastern	·03	·0121
1788	Eastern	·005	·0020
1789	Middle	·06	·0243
1790	North-east corner ..	·01	·0040
1907	Northern	·015	·0060
1908	Northern	·015	·0060
1910	Middle	·04	·0162
1911	Middle	·06	·0243
1912	Middle	·03	·0121
1921	Southern	·03	·0121
1922	Middle	·025	·0101
1923	Eastern	·01	·0040
1944	Southern	·03	·0121
1945	Southern	·07	·0283
1946	South-eastern ..	·015	·0060
1951	Western	·03	·0121
1952	North-west ..	·03	·0121
1953	Northern	·02	·0081
1955	Eastern	·035	·0141
1956	Middle	·09	·0364
1959	Southern	·08	·0324
1960	Southern	·14	·0567
1961	Northern	·045	·0182
1966	Northern	·01	·0040
1985	North-west ..	·07	·0283
1988	Northern	·05	·0202
1989	Northern	·015	·0060
1990	Northern	·19	·0769
1992	Northern	·15	·0607
1993	Southern	·0175	·0070
1994	Northern	·10	·0405

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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The Calcutta Gazette

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SRAVANA 2] WEDNESDAY, JULY 24, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

MALDA.—No. 14201-L.A.(P.W.)(II-150/74. — 24th July 1974.—Whereas 8·6175 hectares (21·295 acres), more or less, of land situated in or near the villages of Magurakhod and another described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act, for the public purpose of providing facilities for irrigation and drainage, namely, for the construction of Mahananda Embankment, 7th Kilometre in the Barsai Branch;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Malda.

Description of the land

Mauza Magurakhod, jurisdiction list No. 81, police-station Ratua, district Malda.

Cadastral survey plots in full—284, 285, 477/694, 477/695 and 477/896.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in Hectare.	Area in Acre.
271	South-eastern corner	·0202	·05
280	Middle	·0809	·20
281	Eastern	·1862	·46
282	Eastern	·2104	·52
283	Eastern	·5302	1·31
286	Western	·4371	1·08
288	South eastern corner	·0041	·01
289	Western	·1133	·28
371	Middle	·1619	·40
385	South-western corner	·1174	·29
467	Western	·0020	·005
472	South-western ..	·5180	1·28
473	South-western ..	·0546	·135
471	Western	·1700	·42
475	South-western corner	·0162	·04
476	South-western ..	·2509	·62
477	South-eastern ..	·0250	·21
478	Eastern	·1942	·48
479	Western ..	·1497	·37
480	Western	·1679	·415
481	South-eastern ..	·4937	1·22
482	South-eastern ..	·0182	·045
484	Eastern ..	·0405	·10
490	South-eastern corner	·0688	·17
491	Northern ..	·1902	·47
492	Northern	·1416	·35
495	Northern	·1052	·26
483/698	Eastern	·0334	·08

Mauza Harirampur, jurisdiction list No. 80, police-station Ratua, district Malda.

Cadastral survey plot in full—285.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot	Area in hectare	Area in acre
113	Southern	·0445	·11
114	Southern	·0425	·105
115	Southern	·0364	·09
116	Southern	·0728	·18
117	Southern	·0364	·09
118	Southern	·0121	·03
124	Eastern	·1821	·45
162	Eastern	·1659	·41
127	Eastern	·1012	·25
128	Eastern	·0890	·22
147	Eastern	·0890	·22
148	Eastern	·0809	·20
149	Eastern	·1942	·48
150	Eastern	·0769	·19
151	Eastern	·2307	·57
152	Western	·0283	·07
153	Western	·1457	·36
154	Western	·0971	·24
155	Middle	·3157	·78
159	Middle	·3561	·88
160	Middle	·3480	·86
165	Middle ..	·3521	·87
171	Middle ..	·2064	·51
172	Middle ..	·1740	·43
179	South-west corner ..	·0769	·19

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. to the Govt. of West Bengal.

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SRAVANA 3] THURSDAY, JULY 25 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 8799-WT.—23rd July 1974.—In exercise of the power conferred by sub-section (1) of section 24 of the Road Transport Corporations Act, 1950 (Act 64 of 1950), the Governor is pleased to appoint Lt. Col. B. Lazarus as General Manager, North Bengal State Transport Corporation, on a contract basis for a period of three years wtih effect from the date he takes over charge of the said post.

By order of the Governor,
D. K. DEY,
Asstt. Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4092/M2A-24/72.—23rd July 1974.—Whereas Government in their notification No. 2031/M2A-24/72, dated the 6th April 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), declaring that the North Dum Dum Municipality, in the district of

24-Parganas, shall have an Executive Officer for a period up to the 31st October 1972 from the date on which the Executive Officer assumes charge of his office;

And whereas in notifications No. 4758/M2A-24/72, dated the 31st October 1972, No. 1455/M2A-24/72, dated the 26th April 1973, No. 4340/M2A-24/72, dated the 1st November 1973 and No. 1052/M2A-24/72, dated the 26th April 1974, the said period of appointment was extended up to the 31st July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Amulya Kumar Roy, Special Officer, Grade II, under the Department of Municipal Services, shall continue as the Executive Officer of the North Dum Dum Municipality, until further orders, during the said extended period and that during the period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government notification No. 937/M2A-42/71(Pt. I), dated the 15th March 1973.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal

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सत्यमेव जयते

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SRAVANA 4] FRIDAY, JULY 26, 1974 [SAKA 1896

PART IA—Orders and notifications of the Government of India, Statutory notifications of the Election Commission, India, and other Election notifications published for general information. Orders and notifications which have originally been published in the "Gazette of India", are only republished

GOVERNMENT OF INDIA

ELECTION COMMISSION OF INDIA

NOTIFICATIONS

Dated New Delhi, the 26th July 1974.

No. 480/74.—Whereas the term of office of Shri G. S. Pathak, Vice-President of India, is due to expire on 30th August 1974;

And whereas under sub-section (3) of section 4 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission is required to appoint the dates for the election to fill the office of the Vice-President of India so that it will be completed in time to enable the Vice-President thereby elected to enter upon his office on the 31st day of August 1974;

Now, therefore, in pursuance of sub-section (1) of section 4 of the said Act, the Election Commission hereby appoints in respect of the said election—

(a) 9th August 1974 (Friday), as the last date for making nominations;

(b) 10th August 1974 (Saturday), as the date for the scrutiny of nominations;

(c) 12th August 1974 (Monday), as the last date for the withdrawals of candidatures; and

(d) 27th August 1974 (Tuesday), as the date on which a poll shall, if necessary, be taken.

By order,

A. N. SEN,

Secretary to the Election Commission.

Dated New Delhi, the 26th July 1974.

No. 480/74(3).—In pursuance of rule 8 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby—

(a) fixes Room No. 62, First Floor, Parliament House, in New Delhi as the place of polling for the Vice-Presidential election to be held in accordance with its notification No. 480/74, dated 26th July, 1974; and

(b) specifies the hours from 10 a.m. to 5 p.m. both inclusive to be the hours during which the poll will be taken at the said place of polling.

By order,

A. N. SEN,

Secretary to the Election Commission.

LOK SABHA SECRETARIAT

FORM 1

[*See* rule 3 of the Presidential and Vice-Presidential Elections Rules, 1974]

Public Notice

of

Election to the office of Vice-President of India

Whereas a notification under sub-section (1) of section 4 of the Presidential and Vice-Presidential Elections Act, 1952, for the holding of an election to fill the office of Vice-President of India has been issued by the Election Commission, I, S. L. Shakdher, the Returning Officer for such election, do hereby give notice that—

(i) nomination papers may be delivered by a candidate or any one of his proposers or seconders to the undersigned at his office in Room No. 18, Ground Floor, Parliament House, New Delhi, or if he is unavoidably absent, to the Assistant Returning Officer, Shri P. K. Patnaik, Joint Secretary, Lok Sabha Secretariat, at the said office between 11 a.m. and 3 p.m. on any day (other than a public holiday) not later than the 9th August, 1974;

(ii) each nomination paper shall be accompanied by a certified copy of the entry relating to the candidate in the electoral roll for the Parliamentary constituency in which the candidate is registered as an elector;

(iii) every candidate shall deposit or cause to be deposited a sum of rupees two thousand five hundred only. This amount may be deposited in cash with the Returning Officer at the time of presentation of the nomination paper or deposited earlier in the Reserve Bank of India or in a Government Treasury and in the latter case a receipt showing that the said deposit of the sum has been so made is required to be enclosed with the nomination paper;

(iv) forms of nomination papers may be obtained from the above said office at the times aforesaid;

(v) the nomination papers, other than those rejected under sub-section (4) of section 5B of the Act, will be taken up for scrutiny at the said office in Room No. 18, Ground Floor, Parliament House, New Delhi, on Saturday, the 10th August, 1974 at 11 a.m.

(vi) the notice of withdrawal of candidatures may be delivered by a candidate, or any one of his proposers or seconders who has been authorised in this behalf in writing by the candidate, to the undersigned at the place specified in paragraph (i) above before three o'clock in the afternoon of Monday, the 12th August, 1974;

(vii) in the event of the election being contested, the poll will be taken on Tuesday, the 27th August, 1974 between the hours of 10 a.m. and 5 p.m. at the place of polling fixed under the rules.

New Delhi;
Dated the 26th July, 1974.

S. L. SHAKDHER,
Secretary-General, Lok Sabha
and
Returning Officer for the
Vice-Presidential Election.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

CO-OPERATIVE DEPARTMENT

NOTIFICATION

No. 2706-Co-op./16A-22/70.—23rd July 1974.—In exercise of the power conferred by sub-section (3) of section 1 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act. XXXVIII of 1973), the Governor is pleased hereby to appoint the 1st day of August 1974, as the date on which the provisions of sub-section (9) of section 23 thereof shall come into force.

By order of the Governor,

P. V. SHENOI,

Jt. Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

BURDWAN.—No. 14340-L.A.(P.W.)/2R-118/74.—25th July 1974.—Whereas 2.0371 hectares (5.22 acres), more or less, of land situated in or near the village of Asansol, described below, have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the

person authorised under section 3(1A) of the Act for the public purpose of providing facilities for transport and communication, namely, for diversion of NH2 for bye-passing Asansol town in mile Nos. 1 and 2 ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

Mines of coal, Iron stone, Slate or other minerals lying under the land or any particular portion of the land are not needed.

This notice is given under the provisions of sub-section (1a) of section 4 read with section 5A of the West Bengal Land (Requisition and Acquisition) Act. 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

Description of the land

Mauza Asansol, J.L. No. 35, police-station Asansol, district Burdwan

R. S. plots in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
2289	Middle ..	..	1 · 8	0 ·4371
2290	Southern ..	..	3 ·44	1 ·3922
2291	North eastern	..	0 ·18	0 ·0729
2292	North-eastern	..	0 ·32	0 ·1295

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio)
to the Govt. of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

OFFICE OF THE COMMISSIONER OF POLICE, CALCUTTA

ORDER

Whereas information has been received from credible sources that violent demonstrations are likely to take place resulting in large scale disturbances of the public tranquility and breach of the peace in the area mentioned in the schedule below in the suburbs of the town of Calcutta (hereinafter referred to as the said area);

And whereas, I, S. C. Chaudhuri, Commissioner of Police, Calcutta, being an Executive Magistrate in the district of 24-Parganas, have been specially empowered by the State Government under notification No. 2505-GA, dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974);

And whereas, in my opinion, there is sufficient ground for proceeding under the said section for immediate prevention of disturbances of the public tranquility and breach of the peace within the said area in the suburbs of the town of Calcutta;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), read with sub-section (3) of the said section, I, the said S. C. Chaudhuri, Commissioner of Police, Calcutta, and an Executive Magistrate in the district of 24-Parganas, do hereby prohibit from the 26th July 1974, until further orders, any assembly of five or more persons, or any procession, or the carrying of any lathis or other dangerous weapons, or the doing of any act which is likely to cause a disturbance of the public tranquility and breach of the peace within the said area in the suburbs of the town of Calcutta.

The Schedule

The area wthin the jurisdiction of Garden Reach police-station in the suburbs of the town of Calcutta bounded—

On the north—By Old Budge Budge Railway line from its junction with Hyde Road Extension up to Majerhat Bridge;

On the east—By Diamond Harbour Road from the southern slope of Majerhat Bridge up to C.P.C. Drain (Diamond Harbour Road excluded);

On the south—By C.P.C. drain from its junction with Diamond Harbour Road up to Budge Budge Road; and

On the west—By Budge Budge Road from its junction with C.P.C. drain, Taratolla Road, Hyde Road Extension up to its junction with Old Budge Budge Railway line (all the roads included).

Explanation: In this order, the "suburbs of the town of Calcutta" means the suburbs of the town of Calcutta as defined by a notification under section 1 of the Calcutta Suburban Police Act, 1866 (Bengal Act II of 1866).

Given under my hand and seal this twenty-sixth July 1974.

S. C. CHAUDHURI,
Commissioner of Police, Calcutta,
And
Executive Magistrate, 24-Parganas.

NOTIFICATION

No. 23.—25th July 1974.—In exercise of powers conferred by sub-section (1) of section 61A of the Calcutta Police Act, 1866 (Ben. Act IV of 1866) and by sub-section (1) of section 38A of the Calcutta Suburban Police Act, 1866 (Ben. Act II of 1866), the Commissioner of Police, Calcutta, hereby prescribes with the previous sanction of the State Government, that the type of vehicle known as 'Auto Rickshaw' shall not be driven or used in streets or public places within the limits of the town of Calcutta and its suburbs as defined in section 3 of the Calcutta Police Act, 1866 (Ben. Act IV of 1866) and in the notification No. 3000-PL., dated the 1st July 1960, published in the "Calcutta Gazette, Extraordinary", of the same date under section 1 of the Calcutta Suburban Police Act, 1866 (Ben. Act II of 1866).

This order shall come into force with effect from the date of its publication in the Official Gazette.

Explanation: In this order, "Auto Rickshaw' means a Motor Cycle or a Scooter having three wheels constructed for the purpose of carrying passengers.

S. C. CHAUDHURI,
Commissioner of Police, Calcutta.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4157/MIM-100/74.—25th July 1974.—Whereas the Board of Commissioners, including the Chairman and the Vice-Chairman of the Raniganj Municipality in the district of Burdwan have tendered their resignation;

And whereas in the circumstances, the Governor is of the opinion that the affairs of the said municipality cannot be managed in accordance with law;

And whereas the Governor is further of the opinion that it is desirable in the public interest to appoint an Executive Officer to carry on the administration of the said municipality;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), the Governor is pleased hereby to declare that the said municipality shall have an Executive Officer for a period of six months with effect from the date on which the Executive Officer may assume charge of his office.

In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to appoint Shri Dilip Kumar Roy Chowdhury, Special Officer, Grade II and Executive Officer of the Asansol Municipality, to be the Executive Officer of the Raniganj Municipality in addition to his own duties and to confer on the said Executive Officer—

(a) the powers of the said Chairman and the Commissioners exercisable, whether at a meeting or otherwise, under section 66 of the said Act and all powers of the said Chairman and Commissioners under the said Act and the rules made thereunder relating to the creation of posts, appointment, duties, leave, disciplinary action including fining, suspension and removal, of Municipal Officers and servants employed or required in connection with the exercise of the powers and performance of the duties conferred on the said Executive Officer under clause (b);

(b) the powers and duties of the Chairman and of the Commissioners of the said municipality exercisable, whether at a meeting or otherwise, under sections 77 and 93 of chapter III, chapter IV, sections 122B and 122F of chapter IVA, chapter V to chapter XV, chapter XVII, chapter XIX to chapter XXII, chapter XXIV and chapter XXV of the said Act; and

(c) the power of the said Chairman to sign cheques under the relevant rules framed under the said Act.

By order of the Governor,
B. MAJUMDAR,
Spl. Officer, ex-officio Commissioner and Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Reforms

NOTIFICATION

No. 14354-L.Ref./2A-16/74.—25th July 1974.—In exercise of the power conferred by sub-section (3) of section 1 of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956) (hereinafter referred to as the said Act), the Governor is pleased hereby to specify the 1st August 1974 as the date on which section 4B of the said Act shall come into force throughout the areas referred to in sub-section (2) of section 1 of the Act.

By order of the Governor,
J. N. MOOKHERJEE,
Spl. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

24-PARGANAS.—No. 14490LA(PW)/1M-77/74.—26th July 1974.—Whereas 5·6860 hectares (14·05 acres) more or less, of land situated in or near the village of Shyamnagar, described below, have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act 1948, by the person authorised under section 3(1A) of the Act, for the public purpose of providing facilities for drainage, namely, for construction of sewerage treatment Plant under Dum Dum Zone Sewerage and Drainage Project;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (la) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Ben. Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, 24-Parganas (North), Bhabani Bhawan, Calcutta-27.

Description of the land

Mauza Shyamnagar, jurisdiction list No. 32/20, police station Dum Dum, district 24-Parganas.

Revisional survey plots in full—1492 to 1496, 1498, 1501, 1522, 1524, 1526 to 1531 and 1529/1709.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in Acres.	Area in hectares.
1497	North-east portion ..	0·42	·1700
1499	North-east portion	0·12	·0486
1500	Leaving ·005 from south-west portion.	0·175	·0708
1502	Eastern portion ..	0·015	·0060
1503	North-east portion ..	0·08	·0324
1504	North-east corner ..	0·005	·0020
1509	North-east corner ..	0·015	·0060
1511	Middle portion ..	0·56	·2266
1517	North-east portion ..	0·65	·2630
1518	South-east corner ..	0·13	·0526
1519	Southern portion ..	0·19	·0769
1521	North-east portion ..	0·37	·1497
1523	South-east portion ..	2·78	1·1251
1525	Northern portion ..	1·12	·4533
1532	Eastern portion ..	0·83	·3359
1534	North-east portion ..	0·15	·0607
1535	Northern portion ..	0·20	·0809
1521/1696	Eastern portion ...	0·02	·0081

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATIONS

CALCUTTA.—No. 14402-L. A. (II)/2R-22/72(I).—25th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55 Judl. (1), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3 of the "Gazette of India", dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby notified that a piece of land comprising part of premises No. 55, A. M. Avenue inside Maharaja Narendra Krishna Deb Park at the junction of Raja Naba Krishna Street and Jatindra Mohan Avenue, described in the schedule below and measuring, more or less, 0·0162 of a hectare (0·04 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the Ward No. 9 of Calcutta Municipality in the city of Calcutta.

This notification is made under the provisions of section 4 of Act I of 1894, read. with the said notification, to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No. 45, Prinsep Street (45 Biplabi Anukul Chandra Street), Calcutta.

In exercise of the powers conferred by the aforesaid section, read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Land Acquisition Collector, Calcutta, at 45 Prinsep Street (45 Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street/Lane and Premises No.	Description of specific portion to be acquired.	Area in hectare.	Area in acre.	Ward No.
Jatindra Mohan Avenue, 55, inside Maharaja Narendra Krishna Deb Park at the junction of Raja Naba Krishna Street and Jatindra Mohan Avenue	North-eastern portion ..	0·0162	0·04	9

And bounded on the—

North—By Raja Naba Krishna Street

West—By Jatindra Mohan Avenue

South—By remaining portion of Maharaja Narendra Krishna Deb Park

West—By remaining portion of Maharaja Narendra Krishna Deb Park.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

CALCUTTA.—No. 14407-L. A. (II)-2R/28/72Pt.—25th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. 20/1/55 Judl. (i), dated 14th May 1955 issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part II, Section 3 of the "Gazette of India", dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby notified that a piece of land comprising premises No. 6, Deshpran Shasmal Road, Calcutta, described in the schedule below and measuring, more or less, 0·0642 of a hectare (0·1586 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the Ward No. 85 of the Calcutta Municipality in the city of Calcutta.

This notification is made under the provision of section 4 of Act I of 1894, read with the said notification, to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No. 45 Prinsep Street (45 Biplabi Anukul Chandra Street), Calcutta.

In exercise of the powers conferred by the aforesaid section, read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Land Acquisition Collector, Calcutta, at 45 Prinsep Street (45 Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street/Lane and Premises No.	Description of specific portion to be acquired	Ward No.
Deshpran Shasmal Road, 6	Full	85

And bounded on the—

North—By Eastern Railway land

East—By Deshpran Shasmal Road

South—By common passage appertaining to premises Nos. 10/1A Deshpran Shasmal Road and 1B Charu Chandra Avenue

West—By Eastern Railway land.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

CALCUTTA.—No. 14412-L. A. (II)/2R-13/74.—25th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55 Judl (i), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India as S. R. O. 1074 and published at page 868, Part I, Section 3 of the "Gazette of India", dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby notified that a piece of land comprising premises Nos. 15/1, Tarak Chatterjee Lane and 41, Jatindra Mohan Avenue, described in the schedule below and measuring, more or less 0·070 of a hectare (0·1729 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the Ward No 18 of Calcutta Municipality in the city of Calcutta.

This notification is made under the provisions of section 4 of Act I of 1894, read with the said notification. to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No. 45, Prinsep Street (45 Biplabi Ankul Chandra Street), Calcutta.

In exercise of the powers conferred by the aforesaid section, read with the said notification, the Governor is pleasen to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Land Acquisition Collector, Calcutta, at 45 Prinsep Street (45 Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street/Lane and Premises No.	Description of specific portion to be acquired.	Area in hectare.	Area in acre.	Ward No.
Tarak Chatterjee Lane, 15/1	Full	0·034	0·0840	18
Jatindra Mohan Avenue, 41	Full	0·036	0·0889	18

And bounded on the—

North—By premises Nos. 43, Jatindra Mohan Avenue and 26A, Abinash Kabiraj Street

East—By Jatindra Mohan Avenue

South—By Tarak Chatterjee Lane

West—By premises No. 22, Abinash Kabiraj Street.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

CALCUTTA.—No. 14417-L. A. (II)/2R-14/74.—25th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No 20/1 55 Judl. (i), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India, as S R O 1074 and published at page 868, Part I, Section 3 of the "Gazette of India", dated 21st May 1955 ;

And whereas it appears to the Governor that the land is likely to be needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby notified that a piece of land comprising premises No. 44, Bhupen Bose Avenue, Calcutta, described in the schedule below and measuring, more or less, 0·0218 of a hectare (0·0538 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the Ward No. 10 of Calcutta Municipality in the city of Calcutta.

This notification is made under the provision of section 4 of Act I of 1894, read with the said notification, to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No. 45, Prinsep Street (45 Biplabi Anukul Chandra Street), Calcutta.

In exercise of the powers conferred by the aforesaid section, read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Land Acquisition Collector, Calcutta, at 45 Prinsep Street (45 Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street/Lane and Premises No.	Description of specific portion to be acquired.	Area in hectare.	Area in acre.	Ward No.
Bhupen Bose Avenue, 44	Full	0·0218	0·0538	10

And bounded on the—

North—By 46 Bhupen Bose Avenue

East—By 42 Bhupen Bose Avenue

South—By Bhupen Bose Avenue

West—By common passage appertaining the premises Nos. 54A, 54B and 56 Bhupen Bose Avenue.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF PANCHAYATS

ORDER

No. 11127-Panch.—19th July 1974.— Whereas by this Department Notification No. 5745-Panch., dated the 21st June 1971, published at page 1313 of Part I of the "Calcutta Gazette, Extraordinary", dated the 25th June 1971, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Pulsita Anchal Panchayat within Panskura-II Block, district Midnapore, was superseded for a period of one year with effect from the 25th June 1971;

And whereas by this Department Notification Nos. 12555-Panch., dated the 26th September 1972, 2702-Panch., dated the 23rd February 1974 and 7474-Panch, dated the 20th May 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further total term of two years;

And whereas under the provisions of clause (i) of sub-section (3) of section 68 of the said Act, further extension of the period of supersession of the said Anchal Panchayat is not possible;

And whereas in constituting the said Pulsita Anchal Panchayat after expiry of the maximum period of supersession, a difficulty has arisen in a matter not provided in the said Act;

Now, therefore, in exercise of the power conferred by section 119 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Governor has been pleased to authorise for the purpose of removing said difficulty, the Extension Officer for Panchayats, Panskura-II Block, district Midnapore, to perform the functions of the Pulsita Anchal Panchayat under section 46 of the said Act with effect from the 25th June 1974, till the said Anchal Panchayat is reconstituted after fresh election.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL
DEPARTMENT OF PANCHAYATS
NOTIFICATION

No. 10956-Panch. — 22nd July 1974.—Whereas by this Department Notification No. 12615-Panch., dated the 27th September 1972, published at page 1960(10) of Part I of the "Calcutta Gazette, Extraordinary", dated the 3rd October 1972, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Pratappur Anchal Panchayat within Panskura I Block, district Midnapore, was superseded for a period of one year with effect from the 3rd October 1972;

And whereas by this Department Notification No. 4580-Panch., dated the 3rd April 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term up to 30th June 1974;

And whereas the Governor considers it necessary to extend the said period of supersession for a further term of six months;

Now, therefore, in exercise of the power conferred by clause (i) of sub-section (3) of section 68 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Governor is pleased hereby to extend the said period of supersession of Pratappur Anchal Panchayat for a further term of six months with effect from the 1st July 1974.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal

HOME DEPARTMENT

Transport

NOTIFICATION

No. 8879-W.T.—26th July 1974.—In exercise of the power conferred by section 21 of the Motor Vehicles Act, 1939 (Act 4 of 1939), the Governor is pleased to make, after previous publication as required by sub-section (1) of section 133 of the said Act, the following amendment in the Bengal Motor Vehicles Rules, 1940, published with Notification No. 1930-Pl., dated the 21st September 1940, at pages 2655-2829 of Part I of the "Calcutta Gazette", of the 10th October 1940, as subsequently amended (hereinafter referred to as the said rules), namely:—

Amendment

In rule 6 of the said rules, after sub-rule (C), add the following sub-rule, namely:—

"(d) A person who passes the test of competence to drive a motor vehicle shall pay to the licensing authority a fee of eleven rupees within thirty days from the date of passing the test, and where the fee is not paid within the prescribed period, the applicant shall be liable to undergo and pass a fresh test of competence unless he shows sufficient reason for such non-payment."

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Appointment

NOTIFICATIONS

No. 1395-Edn(A)/2L-9/74.—2nd April 1974.—'he Governor was pleased to grant Shri Suresh Chandra Banerjee, Secretary, Vangiya Sanskrita Siksha Parishat, Calcutta, earned leave for forty-ne days from the 30th September 1972 to 9th November 1972 under rule 169(a) of the West Bengal Service Rules, Part I

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1410-Edn(A)/2L-1/74.—2nd April 1974.—'he Governor was pleased to grant Sm. Shyamala Banerjee, Lecturer in Economics, Lady Brabourne College, Calcutta, in the West Bengal Junior Educational Service (Women's Branch), maternity leave for seventy-seven days from the 3rd January 973 to the 20th March 1973 under rule 199(i) of ie West Bengal Service Rules, Part I.

By order of the Governor,
L. K CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1463-Edn(A)/17R-5/73/74. — 5th April 1974.—The Governor is pleased to allow Shri Dhiresh Chandra Bhattacharyya, Professor and Head of the Department of Economics, Maulana Azad College, in the West Bengal Senior Educational Service, extraordinary leave with effect from 8th April 1974, or any subsequent date on which he avails himself of the same till the 14th May 1974 under rule 175(1)(ii) of West Bengal Service Rules, Part I.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1466-Edn(A)/A.GT-2/74.—5th April 1974.—The Governor is pleased to transfer Shri Rabindra Nath Banerjee, Assistant Professor of Philosophy, Maulana Azad College, Calcutta, in the West Bengal Educational Service (Men's Branch), as Assistant Professor of Philosophy, Presidency College, Calcutta, in the same service with effect from the date on which he joins there until further orders, vice Dr. Nirod Baran Chakraborty.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

CO-OPERATIVE DIRECTORATE

NOTIFICATIONS

No. 4746.—20th March 1974.—This Directorate's Notification No 1041, dated the 25th January 1974, in so far as it relates to keeping in abeyance the transfer order contained in this Directorate's Notification No I-95/21768, dated the 18th December 1973, in respect of Shri Mohantalal Das, Inspector of Co-operative Societies, from Co-operative Directorate Headquarters to Panskura-I Development Block, Midnapore-II, is hereby withdrawn.

A C. CHATTOPADHYAY,
Registrar of Co-op. Societies, West Bengal.

No. I-11/4744.—20th March 1974.—Shri Ajoy Kumar Das, Inspector of Co-operative Societies, now posted at Panskura-I Development Block with headquarters at Panskura in the district of Midnapore (under the administrative jurisdiction of the Assistant Registrar of Co-operative Societies, Midnapore-II Range), is, in the interest of public service, transferred and posted as such at Assistant Registrar's Office, Bankura, with headquarters at Bankura in the district of Bankura, vice Shri Ranjit Kumar Mitra, Inspector of Co-operative Societies, transferred.

This cancels this Directorate's Notification No. I-96/21770, dated the 18th December 1973.

A. C. CHATTOPADHYAY,
Registrar of Co-op. Societies, West Bengal.

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GOVERNMENT OF WEST BENGAL

MUNICIPAL SERVICES DEPARTMENT

NOTIFICATION

No. 4189/MIA-5/73.—27th July 1974.—In exercise of the power conferred by the proviso to sub-section (1) read with sub-section (2) of section 6 of the Chandernagore Municipal Act, 1955 (West Bengal Act XVIII of 1955), the Governor is pleased hereby to direct that the provisions of section 2 of the Bengal Municipal (Amendment) Act, 1974 (West Bengal Act XVII of 1974), shall be deemed to have applied and shall be deemed to have come into force in Chandernagore, with effect from the 4th April 1974.

By order of the Governor,
B. MAJUMDAR,
Spl. Officer and ex-officio Commissioner and Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Appointment

NOTIFICATIONS

No. 1212-Edn(A)/2L-49/73.—22nd March 1974.—The Governor was pleased to grant Shri Himansu Kumar Mukherjee, Assistant Professor of Physics, Krishnagar Government College, in the West Bengal Educational Service (Men's Branch) for the period as noted below under rules 173(a) and 175 of the West Bengal Service Rules, Part I:—

(1) Half-pay leave for two hundred and three days from 12th June 1970 to 31st December 1970,

(2) Extraordinary leave for two hundred and forty-one days from 1st January 1971 to 29th August 1971,

(3) Half-pay leave for twenty days from 30th August 1971 to 18th September 1971,

(4) Extraordinary leave for three hundred and forty-six days from 19th September 1971 to 29th August 1972,

(5) Half-pay leave for twenty days from 30th August 1972 to 18th September 1972,

(6) Extraordinary leave for one hundred and thirty-seven days from 19th September 1972 to 2nd February 1973.

No. 1277-Edn(A)/6T-28/73.—26th March 1974.—The Governor is pleased to transfer Shri Hrishikesh Majumder, Headmaster, Sanskrit Collegiate School, Calcutta, in the West Bengal Educational Service (Men's Branch), as Headmaster, Nawab Bahadur's Institution, Murshidabad, in the same service with effect from the date on which he joins there and until further orders vice Shri Anil Chandra Adhikari retired.

No. 1282-Edn(A)/2L-75/73.—26th March 1974.—The Governor was pleased to grant Shri Jagat Hari Mitra, Retired Principal, Jhargram Raj College, Midnapore, in the West Bengal Senior Educational Service (Men's Branch), earned leave for two days from 11th November 1972 to the 12th November 1972 and half-pay leave for forty-two days from the 13th November 1972 to the 24th December 1972, as leave preparatory to retirement under rule 171(b) and rule 173(a)(i) of the West Bengal Service Rules, Part I, read with rule 168 ibid.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1337-Edn(A)/4A-34/74.—30th March 1974.—The Governor is pleased to transfer Shri Tarit Kumar Mukherjee, Principal, Krishnagar College, in the West Bengal Senior Educational Service (Men's Branch), as Director of State Archives, West Bengal, in the same service with effect from the date on which he joins the post until further orders.

By order of the Governor,
D. K. GUHA,
Education Commissioner and Secy. to the Govt. of West Bengal.

No. 1342-Edn(A)/6T-26/73.—30th March 1974.—The Governor is pleased to transfer Shri Kamini Kumar Nath, District Social Education Officer, 24-Parganas, in the West Bengal Educational Service, as Secretary, State Bureau of Education, in the same service with effect from the date on which he joins there until further orders.

No. 1343-Edn(A)/6T-26/73.—30th March 1974.—The Governor is pleased to transfer Shri Amitava Sarkar, District Social Education Officer, Malda, in the West Bengal Educational Service, as District Social Education Officer, 24-Parganas, in the same service with effect from the date on which he joins there until further orders vice Shri K. K. Nath transferred.

This order cancels this Department Notification No. 1123-Edn(A), dated the 16th March 1974.

No. 1371-Edn(A)/8P-42/72.—1st April 1974.—The Governor has been pleased to allow Dr. (Sm.) Gouri Nag, formerly Professor of Economics, and now Principal, Lady Brabourne College, Calcutta, in the West Bengal Senior Educational Service (Women's Branch), commuted leave on medical certificate for seventeen days with effect from the 31st March 1970 to 16th April 1970, under rule 173(a)(i) of the West Bengal Service Rules, Part I, and in relaxation of rule 159 read with rules 13 and 19 of Appendix 7 of the West Bengal Service Rules, Part I.

By order of the Governor,

L. K. CHATTERJI,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DIRECTORATE OF AGRICULTURE WEST BENGAL

ORDERS

No. 63-Estt.—28th March 1974.—In partial modification of this Office Order No. 1271(26), dated the 7th February 1970, Shri Sudhangsu Kumar Sarma, Fertiliser Promotion Officer, Burdwan, is hereby transferred in the interest of public service and posted to Galsi-II as Agricultural Extension Officer.

He will be entitled to joining time and pay during transit period in terms of rule 93(a) read with rule 95 of West Bengal Service Rules, Part I.

B. MANDAL,
Director of Agriculture, West Bengal.

No. 3431/3E/11/590/Estab/74. — 2nd April 1974.—In continuation of this Office Memo. No. 315(3), dated the 17th January 1974, earned leave for one hundred and twenty days for the period from 2nd February 1974 to 1st June 1974 is hereby granted to Shri Kaustav Bhusan Mookherjee,

Manure Development Officer, Bankura, leave preparatory to retirement, in terms of rule 169(a)(i) of West Bengal Service Rules, Part I and read with rule 168 ibid in lieu of refused leave in the interest of public service.

B. MANDAL,
Director of Agriculture, West Bengal.

No. 3286.—2nd April 1974.—Earned leave for one hundred and twenty days due to Shri Bibhu Ranjan Gupta, District Agricultural Marketing Officer, Headquarters, in W.B.J.A.S., preparatory to retirement from 29th July 1974 to 25th November 1974 is hereby denied on account of exigencies of the public service in terms of rule 168 of West Bengal Service Rules, Part I.

The benefit of the above leave will be allowed after he retires compulsarily on 26th November 1974.

B. MANDAL,
Director of Agriculture, West Bengal.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Commerce and Industries Department

Industries (Planning)

NOTIFICATION

No. 1516-Ind./Pl. — 22nd April 1974. — In exercise of the powers conferred by clause (a) of article 99 and clause (a) of article 120 of the Articles of Association of West Bengal Pharmaceutical and Phytochemical Development Corporation Limited (hereinafter referred to as the said Corporation) the Governor is pleased

(i) to appoint the persons specified in the Schedule below as Directors of the said Corporation;

(ii) to appoint Dr. A. K. Basu, one of such Directors, as the Chairman of the Board of Directors and Shri A. K. Chatterjee one of such Directors, as Managing Director of the said Corporation.

The Schedule

Chairman

(1) Dr. A. K. Basu, Dean of Faculty of Medicine, Calcutta University.

Directors

(2) Dr. B. Mukherjee, Retired Director, Central Drug Research Institute.

(3) Dr. Ashima Chatterjee, Dean of Faculty of Science, Calcutta University.

(4) Dr. D. Chakraborty, Chief Executive, Standard Pharmaceuticals Ltd.

(5) Shri Amar Das, President, All India Manufacturers' Organisation, Pharmaceutical Division, West Bengal.

(6) Shri P. Gupta, Managing Director, Organon Ltd.

(7) Shri S. P. De, Managing Director, West Bengal Small Industries Corporation.

(8) Dr. A. C. Kar, Director of Drug Control, Department of Health, West Bengal.

(9) Dr. J. C. Saha, Director of Cinchona and Other Medicinal Plants, Government of West Bengal.

(10) A representative of Finance Department, Government of West Bengal.

(11) A representative of Commerce and Industries Department, Government of West Bengal.

(12) Shri P. K. Mukherjee, Joint Director of Industries (RIP), Cottage & Small Scale Industries Directorate, Government of West Bengal.

Managing Director

(13) Shri A. K. Chatterjee, Deputy Secretary, Commerce and Industries Department, Government of West Bengal.

The Governor is also pleased to direct that the Chairman, Managing Director and other Directors herein appointed will hold office for a period of three years with effect from the date of publication of this Notification in the Official Gazette.

By order of the Governor,
S. S. VARMA,
Industries Commissioner and Secy. to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

THE COMPANIES (TEMPORARY RESTRICTIONS ON DIVIDENDS) ORDINANCE, 1974

No. 7 OF 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

[*6th July 1974.*]

An Ordinance

to provide, in the interests of national economic development, for temporary restrictions on the power of certain companies to declare dividends out of profits and for matters connected therewith or incidental thereto.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the Companies (Temporary Restrictions on Dividends) Ordinance, 1974.

(*2*) It extends to the whole of India.

(*3*) It shall come into force at once.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(*a*) "appointed day" means the day on which this Ordinance comes into force;

(*b*) "company" has the meaning assigned to it in the Companies Act, 1956, and includes a foreign company within the meaning of section 591 of the Companies Act, 1956, which has made arrangements prescribed under the Income-tax Act, 1961, for the declaration and payment of dividends within India; 1 of 1956. 4 of 1961.

(*c*) "distributable profits", in relation to a financial year of a company to which this Ordinance applies, means,—

(*i*) one-third of the net profits of the company for that financial year, or

(*ii*) an amount required to pay twelve per cent. dividend on the face value of the equity shares of the company and dividend payable on its preference shares,

whichever is lower;

(*d*) "financial year" has the meaning assigned to it in section 2 of the Companies Act, 1956; 1 of 1956.

(*e*) "net profits" means net profits of the company, as computed in accordance with the provisions of sections 349 and 350 of the Companies Act, 1956. 1 of 1956.

Companies to which the Ordinance applies.

3. This Ordinance shall apply to the following categories of companies, namely:—

(*a*) a company in which the public are substantially interested, as defined in clause (*18*) of section 2 of the Income-tax Act, 1961; 43 of 1961.

(*b*) a company, at least seventy-five per cent. of the share capital of which is, throughout the financial year for which any dividend is declared or paid, beneficially held by an institution or fund established in India for a charitable purpose, the income from dividend whereof is exempt from income-tax under section 11 of the Income-tax Act, 1961; 43 of 1961.

(*c*) an Indian company whose business consists mainly in the construction of ships or in the manufacture or processing of goods or in mining or in the generation or distribution of electricity or any other form of power;

(*d*) an Indian company, the value of whose capital assets, being machinery or plant (other than office appliances or road transport vehicles), as shown in its books on the last day of the financial year for which any dividend is declared or paid, is fifty lakhs of rupees or more;

(*e*) a company which has been exempted under sub-section (*3*) of section 104 of the Income-tax Act, 1961, from the operation of that section. 43 of 1961.

Explanation.—For the purpose of clause (*c*), the business of a company shall be deemed to consist mainly in the construction of ships or in the manufacture or processing of goods or in mining or in the generation or distribution of electricity or any other form of power, if the income attributable to any of the aforesaid activities included in its gross total income for the relevant financial year is not less than fifty-one per cent. of such total income.

4. (*1*) For a period of two years from the appointed day, no company to which this Ordinance applies shall declare or pay dividends for any financial year exceeding, in the aggregate, its distributable profits for that financial year irrespective of whether such declaration or payment is made out of the net profits of the company for that financial year or from the accumulated profits for any previous financial year or years.

Restriction on declaration of dividends by companies to which the Ordinance applies.

(*2*) In computing the aggregate amount which may be declared or paid as dividends in accordance with the provisions of this Ordinance for any financial year, any amount paid or promised or partly paid and partly promised before the appointed day by way of interim dividends for that financial year shall be taken into account; but where the amount of such interim dividend paid before the appointed day exceeds its distributable profits for the financial year for which the interim dividend was paid, no further dividend shall be declared or paid by the company for that financial year.

5. Any dividend declared or paid after the appointed day by a company to which this Ordinance applies in excess of its distributable profits shall, to the extent of such excess, be void, and any amount paid by the company to any shareholder in excess of its distributable profits shall be recovered by the company and no such recovery shall be waived by the company.

Dividend in excess of distributable profits to be void.

6. For a period of two years from the appointed day, no company to which this Ordinance applies shall, except with the previous approval of the Central Government and subject to such conditions and limitations as may be specified by the Government, pay or distribute any interim dividends for any financial year, whether ending before or after the appointed day.

Restrictions on interim dividends.

7. For a period of two years from the appointed day, no company to which this Ordinance applies shall, except with the previous approval of the Central Government,—

Restriction on other distribution.

(*a*) make any distribution out of its assets;

(*b*) assume, whether conditionally or otherwise, any obligation to make distribution out of its assets;

(*c*) grant any loan to any shareholder of the company.

8. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in the Companies Act, 1956, or in any other enactment (other than this Ordinance) or in any contract or instrument having effect by virtue of any enactment other than this Ordinance.

1 of 1956.

Ordinance to have overriding effect.

9. Whoever contravenes any provision of this Ordinance, shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to twice the amount in relation to which such contravention has been made, or with both.

Penalties.

10. (*1*) Where an offence under this Ordinance has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Ordinance has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Power to remove difficulties.

11. If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order, not inconsistent with the provisions of this Ordinance, remove the difficulty.

V. V. GIRI,

President.

S. K. MAITRA,

Joint Secy. to the Govt. of India.

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PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

WEST BENGAL ORDINANCE No. IX OF 1974

THE WEST BENGAL COURT-FEES (AMENDMENT) ORDINANCE, 1974.

WHEREAS it is expedient to amend the West Bengal Court-fees Act, 1970, for the purpose and in the manner hereinafter appearing; West Ben. Act X of 1970.

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (*1*) of article 213 of the Constitution of India, to make and promulgate the following Ordinance, namely:—

Short title.

1. This Ordinance may be called the West Bengal Court-fees (Amendment) Ordinance, 1974.

Amendment of section 7 of West Ben. Act X of 1970.

2. In section 7 of the West Bengal Court-fees Act, 1970, to clause (*i*), the following proviso shall be added, namely:—

"Provided that no fee shall be payable in suits for damages for defamation.".

ANTHONY L. DIAS,

Governor of West Bengal.

The 26th July, 1974.

K. K. MOITRA,

Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Parliamentary Affairs

NOTIFICATION

No. 188-P.A.—29th July 1974.—The following notification by the Secretary to the Governor of West Bengal is hereby published for general information:—

"NOTIFICATION

No. 2950-S.—26th July 1974.—The President has assented to the Basumati Private Limited (Acquisition of Undertaking) Bill, 1974.

P. K. SARKAR,
Secretary to the Governor, West Bengal."

By order of the Governor,
S. DATTA,
Dy. Secy. to the Govt. of West Bengal.

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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 1807-L.—29th July, 1974.—The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information:—

West Bengal Act XXXV of 1974

THE BASUMATI PRIVATE LIMITED (ACQUISITION OF UNDERTAKING) ACT, 1974.

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary,* of the 29th July, 1974.]

An Act to provide for the acquisition, for public purpose, of the undertaking of the Basumati Private Limited with a view to securing the proper administration and management thereof for the purpose of ensuring efficient publication of the Basumati, a daily newspaper in the Bengali language which has a great past and tradition and timely publication of journals and periodicals published by it and resuming the publication of books, particularly Sanskrit Classics in Bengali version and other Bengali Classics, and also with a view to assuring the retention of the services of the workmen whose continued employment has been threatened, so that the interests of the public may be better served.

WHEREAS it will be useful to the public and it will result in benefit and advantage to the public and having regard to the public utility it is expedient to provide for the acquisition of the undertaking of the Basumati Private Limited with a view to securing the proper administration and management thereof for the purpose of ensuring efficient publication of the Basumati, a daily newspaper in the Bengali language which has a great past and tradition and timely publication of journals and periodicals published by it and resuming the publication of books, particularly Sanskrit Classics in Bengali version and other Bengali Classics, and also with a view to assuring the retention of the services of the workmen whose continued employment has been threatened, so that the interests of the public may be better served;

It is hereby enacted in the Twenty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title.

1. This Act may be called the Basumati Private Limited (Acquisition of Undertaking) Act, 1974.

The Basumati Private Limited (Acquisition of Undertaking) Act, 1974.

(*Sections 2—4.*)

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means such date as the State Government may, by notification, appoint;

(*b*) "Commissioner" means the Commissioner of Payments appointed under section 9;

(*c*) "company" means the Basumati Private Limited, being a company as defined in the Companies Act, 1956, having its registered office at 166, Bepin Behari Ganguli Street, Calcutta; 1 of 1956.

(*d*) "notification" means a notification published in the *Official Gazette;*

(*e*) "prescribed" means prescribed by rules made under this Act;

(*f*) "scheduled bank" has the same meaning assigned to it in the Reserve Bank of India Act, 1934, and includes a nationalised bank; 2 of 1934.

(*g*) "undertaking", in relation to the company, means the properties and assets of the company referred to in sub-section (*1*) of section 4.

Undertaking of the company to vest in the State Government.

3. On and from the appointed day, the undertaking of the company shall, by virtue of this Act, stand transferred to, and vest in, the State Government free from all trusts, liabilities and encumbrances.

General effect of vesting.

4. (*1*) The undertaking of the company shall be deemed to include all assets, rights, powers, authorities and privileges and all properties, movable and immovable, machinery including rotaries and composing machine, reserve funds, investments and all other rights and interests arising out of such properties as were immediately before the appointed day in the ownership, power or control of the company in relation to the undertaking, or in the possession of the company irrespective of the fact whether the company has any right, title or interest in such properties or not, and all documents of whatever nature relating thereto but does not include the right, title and interest of the owners of lands and buildings in possession of the company, cash balance of the company and the amounts receivable by the company from its debtors.

(*2*) Any contract, whether express or implied, or other arrangement, whether under any statute or otherwise, in so far as it relates to the management of the business and affairs of the company in relation to its undertaking and in force immediately before the appointed day, or any order made by any court in so far as it relates to the management of the business and affairs of the company in relation to its undertaking and in force immediately before the appointed day, shall be deemed to have terminated on the appointed day.

(*3*) All persons in charge of the management, including persons holding offices as directors, managers or any other personnel connected with the management of the company immediately before the appointed day, shall be deemed to have vacated their offices as such on the appointed day.

(*4*) Notwithstanding any judgment, decree or order of any court, tribunal or other authority or anything contained in any law for the time being in force, every Receiver, Official Liquidator or any other person in whose possession or custody or under whose control the undertaking of the company or any part thereof may be, shall forthwith deliver possession of the said undertaking or such part thereof, as the case may be, to the State Government or to such person as the State Government may appoint in this behalf.

The Basumati Private Limited (Acquisition of Undertaking) Act, 1974.

(*Sections 5—7.*)

(*5*) The Receiver, Official Liquidator or any other person who has, on the appointed day, in his possession or under his custody or control any books, documents or other papers relating to the undertaking of the company which has vested, under section 3, in the State Government, shall be liable to account for the said books, documents or other papers to the State Government or to such person as the State Government may appoint in this behalf.

(*6*) All properties in the undertaking which have vested in the State Government under section 3 shall, by virtue of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting it, and any attachment, injunction or any decree or order of any court restricting the use of such property in any manner shall be deemed to have been withdrawn.

(*7*) The State Government may take or cause to be taken all necessary steps for securing the possession of all properties of the undertaking which have vested in the State Government under section 3.

Management of the undertaking.

5. The undertaking which has vested in the State Government under section 3 shall be managed by such person or body of persons as may be nominated by the State Government in this behalf and such person or body of persons shall carry on the management in accordance with such rules as may be made by the State Government.

Power of State Government to direct vesting of the undertaking in a corporation.

6. (*1*) Notwithstanding anything contained in sections 3, 4 and 5, the State Government may by order in writing direct that the undertaking of the company together with all its properties and assets, specified in sub-section (*1*) of section 4, shall, instead of continuing to vest in the State Government, vest in such corporation owned or controlled by the State Government (hereinafter referred to as the corporation) and on such date, as may be specified in the direction.

(*2*) Where an order vesting the undertaking of the company in a corporation is made under sub-section (*1*), all the rights, liabilities and obligations of the State Government in relation to the undertaking of the company shall, on and from the date of such vesting, be deemed to have become the rights, liabilities and obligations, respectively, of such corporation.

(*3*) The corporation shall, for the purpose of management and administration of the undertaking of the company, act in accordance with such direction, if any, as may be issued by the State Government in this behalf.

(*4*) The corporation may also apply to the State Government at any time for instructions as to the manner in which the management of the undertaking of the company or in relation to any matter arising in the course of such management shall be conducted.

Employment of certain employees to continue.

7. (*1*) Every person who is a workman within the meaning of the Industrial Disputes Act, 1947, and has been, immediately before the appointed day, in the employment of the company shall, on and from the appointed day, be deemed to be reappointed as an employee of the State Government or, as the case may be, of the corporation in which the undertaking may be vested by an order under sub-section (*1*) of section 6 and shall hold office on the same terms and conditions and with the same rights to pay, gratuity and other matters as would have been admissible to him if the undertaking of the company had not been vested in the State Government or in such corporation, as the case may be, and continue to do so unless and until his employment is duly terminated or until his remuneration, terms and conditions of employment are duly altered by the State Government or such corporation, as the case may be. **14 of 1947.**

The Basumati Private Limited (Acquisition of Undertaking) Act, 1974.

(Sections 8—10.)

(*2*) The State Government or the corporation may employ, on mutually acceptable terms and conditions, any person who is not a workman within the meaning of the Industrial Disputes Act, 1947 and who has been, immediately before the appointed day, in the employment of the company, and on such employment the said person shall become an employee of the State Government or such corporation, as the case may be. 14 of 1947.

(*3*) Save as otherwise provided in sub-sections (*1*) and (*2*), the services of any or every person employed in the company before the appointed day shall stand terminated on and from the appointed day.

Amount to be paid for vesting of the properties.

8. For the vesting of the properties of the undertaking in the State Government under section 3, there shall be paid by the State Government to the owners of such properties and to the persons having any interest therein an amount of rupees two lakhs and sixty thousand.

Commissioner of Payments to be appointed.

9. (*1*) The State Government shall, by notification, appoint such person as it may think fit to be the Commissioner of Payments who shall determine the persons entitled to the amount referred to in section 8 and apportion the same according to the value of the properties and their respective rights therein.

(*2*) The Commissioner shall get such salary and allowances as may be determined by the State Government.

(*3*) The salary and allowances of the Commissioner shall be defrayed out of the Consolidated Fund of the State.

Claims to be made to the Commissioner.

10. (*1*) Every owner of, and every person having an interest in, the properties vested in the State Government under section 3 or any part thereof and having a claim in the amount referred to in section 8 (hereinafter referred to as the claimant) may prefer such claim before the Commissioner within thirty days from the date specified by the State Government by notification:

Provided that if the Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of thirty days, he may, on the expiry of the said period of thirty days, entertain the claim within a further period of thirty days, but not thereafter.

(*2*) The Commissioner shall fix a date on or before which every claimant shall file the proof of his claim.

(*3*) Not less than fourteen days' notice of the date so fixed shall be given by advertisement in one issue of the daily newspaper in the English language and one issue of such daily newspaper in the Bengali language and every such notice shall call upon the claimant to file the proof of his claim with the Commissioner within the time specified in the advertisement.

(*4*) The Commissioner shall, after such investigation as may, in his opinion, be necessary and after giving the claimant a reasonable opportunity of being heard, in writing admit or reject the claim in whole or in part.

(*5*) The Commissioner shall have the power to regulate his own procedure in all matters arising out of the discharge of his functions including the place or places at which he will hold his sittings, and shall, for the purpose of making any investigation under this Act, have the same powers as are

The Basumati Private Limited (Acquisition of Undertaking) Act, 1974.

(*Sections 11—13.*)

vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:— 5 of 1908.

(*a*) the summoning and enforcing the attendance of any witness and examining him on oath;

(*b*) the discovery and production of any document or other material object producible as evidence;

(*c*) the reception of evidence on affidavits;

(*d*) the issuing of any commission for the examination of witnesses.

(*6*) A claimant who is dissatisfied with any decision of the Commissioner may prefer an appeal against such decision to such authority, in such manner and within such time, as may be prescribed.

Duty to furnish particulars.

11. The company shall within such period as the State Government may allow in this behalf furnish to the State Government or to the corporation a complete inventory of all the properties and assets of the company as on the appointed day pertaining to the undertaking which has vested in the State Government under section 3.

Penalties.

12. (*1*) Any person, who—

(*a*) having in his possession, custody or control any property forming part of the undertaking of the company, wrongfully withholds such property from the State Government or the corporation; or

(*b*) wrongfully obtains possession of any property forming part of the undertaking of the company which has vested in the State Government or in the corporation under this Act; or

(*c*) wilfully withholds or fails to furnish to the State Government or the corporation, any document which may be in his possession, custody or control; or

(*d*) wilfully fails to furnish an inventory as required under section 11;

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both:

Provided that the court trying any offence under clause (*a*) or clause (*b*) or clause (*c*) of this sub-section may, at the time of convicting the accused person, order him to deliver up or refund, within a time to be fixed by the court, any property or cash wrongfully withheld or obtained or any document wilfully withheld or not furnished.

(*2*) No court shall take cognizance of an offence punishable under this section except with the previous sanction of the State Government or an officer authorised by that Government in this behalf.

Offences by companies.

13. (*1*) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

The Basumati Private Limited (Acquisition of Undertaking) Act, 1974.

(Sections 14—17.)

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director or manager or secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section—

(*a*) "company" means any body corporate and a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

Act to have overriding effect.

14. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any law other than this Act or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

15. (*1*) No suit, prosecution or other legal proceeding shall lie against the State Government or the corporation or any of its officers or other employees for anything which is in good faith done or intended to be done under this Act.

(*2*) No suit or other legal proceeding shall lie against the State Government or the corporation or any of its officers or other employees for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

Power to remove difficulties.

16. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

Power to make rules.

17. The State Government may, by notification, make rules for carrying out the provisions of this Act.

By order of the Governor,

K. K. MOITRA,

Secy. to the Govt. of West Bengal

Printed and published by the Superintendent, Government Printing, West Bengal at the West Bengal Government Press, Alipore.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 18483-F.S./FS/14R-11/73-Pt. — 29th July 1974.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955), read with the order of the Government of India in the Ministry of Agriculture (Department of Food), No. G.S.R.316(E), dated the 20th June 1972, the Governor, after obtaining the prior concurrence of the Central Government, is pleased to make the following amendment in the West Bengal Essential Foodstuffs Anti-Hoarding Order, 1966, published with this department order No. 6486-F.S./FS/14R-86/66, dated the 1st July 1966, at pages 2543-2548 of Part I of the "Calcutta Gazette, Extraordinary", of the 1st July 1966, as subsequently amended (hereinafter referred to as the said Order), namely:

Amendment

In the said Order,—

(1) in Schedule I, for the entries relating to item No. (2), substitute the following entry, namely:

"Wheat.";

(2) in Schedule II, for the entries relating to item No. 1 under the heading "Essential foodstuffs", substitute the following entries, namely:—

"Rice and wheat in any combination.".

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

THE ADDITIONAL EMOLUMENTS (COMPULSORY DEPOSIT) ORDINANCE, 1974

No. 8 OF 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

[*6th July, 1974.*]

AN ORDINANCE

to provide, in the interests of national economic development for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I

Preliminary

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the Additional Emoluments (Compulsory Deposit) Ordinance, 1974.

(*2*) It extends to the whole of India.

(*3*) It shall come into force at once.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(*a*) "appointed day" means the day on which this Ordinance comes into force;

(*b*) "additional dearness allowance" means such dearness allowance as may be sanctioned from time to time, after the appointed day, over and above the amount of dearness allowance payable immediately before the date from which such sanction of additional dearness allowance is to take effect;

(*c*) "additional wages" means such wages, over and above the wages payable to an employee immediately before the appointed day, as may become payable to the employee after the appointed day in pursuance of any wage revision, whether by or under an agreement or settlement between the parties or any award, decree or order of any court, tribunal or other authority, but does not include—

(*i*) any increment due to the employee in accordance with the time scale of pay applicable to the post held by him immediately before the appointed day, and any consequent increase in any allowance admissible under any rule or order in force immediately before the appointed day;

(*ii*) any higher wages payable to the employee on his promotion or transfer to a post involving higher responsibilities and duties;

(*iii*) any honorarium payable for any work done outside office hours;

(*iv*) any allowance payable for over-time work;

(*v*) any increase in wages sanctioned in pursuance of the recommendations made by the Third Central Pay Commission;

(*d*) "bank deposit rate" means the maximum rate at which interest may be paid by a banking company on deposits (other than those maintained in saving accounts) in accordance with the directions made by the Reserve Bank of India in exercise of the powers conferred on it by section 21 or section 35A, or both, of the Banking Regulation Act, 1949; 10 of 1949.

(*e*) "Deposit Account" means the account opened and maintained under section 5;

(*f*) "emoluments" includes wages and dearness allowance;

(*g*) "employer" means,—

(*i*) in relation to an establishment which is a factory, the owner or occupier of the factory, including the agent of such owner or occupier, and where a person is named as manager of the factory under clause (*f*) of sub-section (*1*) of section 7 of the Factories Act, 1948, the person so named; 63 of 1948.

(*ii*) in relation to an establishment belonging to or under the control of the Central Government or a State Government the person or authority appointed by the appropriate Government for the supervision and control of the employees, or where no person has been so appointed, the head of the Department concerned;

(*iii*) in relation to an establishment belonging to or under the control of any local authority, the person appointed by such authority for the supervision and control of the employees, or where no person has been so appointed, the Chief Executive Officer of the local authority;

(*iv*) in any other case, the person who, or the authority which, has the ultimate control over the affairs of the establishment, and where the said affairs are entrusted to any other person, whether called a manager, managing director or by any other name, such person,

and includes, in the case of a deceased employer, the legal representative of such deceased employer;

(*h*) "notification" means a notification published in the Official Gazette;

(*i*) "prescribed" means prescribed by rules made under this Ordinance;

(*j*) "scheme" means a scheme made under this Ordinance;

(*k*) "wages" means all remuneration (whether by way of salary, allowances or otherwise) expressed, or capable of being expressed, in terms of money, which would, if the terms of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes—

(*i*) any remuneration payable under any agreement, or settlement between the parties or any decree or order of any court, tribunal or other authority;

(*ii*) any remuneration to which the person employed is entitled in respect of overtime work or holidays or any leave period;

(*iii*) any additional remuneration payable under the terms of employment, including bonus, whether under a scheme of profit sharing or otherwise;

(*iv*) any sum which by reason of the termination of employment of the person employed is payable under any law, contract or instrument which provides for the payment of such sum, whether with or without deductions, but does not provide for the time within which the payment is to be made;

(*v*) any sum to which the person employed is entitled under any scheme framed under any law for the time being in force;

(*vi*) any allowance paid for house accommodation, or where house accommodation is provided, the value of such accommodation, and the value of electricity or water, or both, supplied, and the value of medical attendance or other amenity,

but does not include—

(*1*) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;

(*2*) any travelling allowance or the value of any travelling concession;

(*3*) any sum, not exceeding rupees two hundred and fifty per annum, paid to the employed person to defray special expenses entailed on him by the nature of his employment;

(*4*) any gratuity payable on the termination of employment in cases other than those specified in sub-clause (*iv*);

(*5*) any dearnees allowance.

Persons to whom this Ordinance applies.

3. This Ordinance shall apply to an employee of—

(*a*) the Central or State Government;

(*b*) a local authority;

(*c*) a company as defined in section 3 of the Companies Act, 1956, including a foreign company within the meaning of section 591 of the Companies Act, 1956, and a Government company as defined in section 617 of that Act; 1 of 1956.

(*d*) any other corporation, including a society established by or under a Central, Provincial or State Act;

(*e*) any individual, association or body of individuals or Hindu undivided family liable to payment of tax under the Income-tax Act, 1961, and entitled to deduct from the wages paid to the employees for the purpose of determination of income-tax under that Act; 43 of 1961.

(*f*) any establishment, not being an establishment owned by Government, local authority or person specified, respectively, in clauses (*a*) to (*e*) (both inclusive), to which the provisions of any law relating to provident funds (other than those established under the Public Provident Fund Act, 1968) apply; 23 of 1968.

(*g*) any other establishment, not being an establishment to which any of the foregoing clauses apply, established at the instance or in pursuance of a resolution, of the Central Government or wholly or substantially financed by that Government.

Ordinance to have overriding effect.

4. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Ordinance or in any instrument having effect by virtue of any enactment other than this Ordinance.

CHAPTER II

Compulsory Deposit of Additional Emoluments

Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account.

5. (*1*) There shall be opened by such authorities as may be specified in the scheme (hereinafter referred to as the specified authority) two separate accounts, to be known, respectively, as the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, and different authorities may be specified for different categories of establishments.

(*2*) The specified authority shall, in relation to each Deposit Account, open a separate ledger account in the name of each employee in relation to whom any contribution is made to the said Account, and credit the contributions so made in the said ledger account.

Duty of employer or other person to make deductions of additional wages and additional dearness allowance from wages.

6. (*1*) For the purposes of this Ordinance, the deductions specified in sub-section (*2*) shall be made,—

(*a*) in the case of additional wages, for a period of one year from the appointed day, and

(*b*) in the case of additional dearness allowance, for a period of two years from the appointed day.

(*2*) On the commencement of this Ordinance,—

(*a*) every employer, who draws or disburses, after the appointed day, wages of an employee to whom this Ordinance applies, shall, as and when wages are

disbursed by him for any period, deduct from the wages so disbursed, the whole of the additional wages and one-half of the additional dearness allowance and credit the amount so deducted, in accordance with the scheme, to the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, respectively;

(*b*) any gazetted or other officer to whom this Ordinance applies, who draws, after the appointed day, his own wages, shall make deductions in each wage bill in respect of the whole of the additional wages and one-half of the additional dearness allowance, and the authority which maintains the accounts of the wages drawn by such gazetted or other officer shall credit the amount so deducted, in accordance with the scheme, to the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, respectively;

(*c*) every other employer, who disburses, after the appointed day, wages to any employee to whom this Ordinance applies, shall, as and when wages are disbursed by him for any period, deduct from the wages so disbursed, the whole of the additional wages and one-half of the additional dearness allowance, and shall remit, in accordance with the scheme, the amount so deducted to such authority as may be nominated by Central Government in this behalf, and on receipt of such amount the nominated authority shall credit the amount so received to the account of the concerned employee in the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, respectively.

(*3*) The specified authority shall, as soon as may be practicable after the end of each year, prepare separately, in relation to the amounts credited to the respective Deposit Accounts to the credit of each employee, and furnish to the employee a copy of the said accounts showing therein separately the amounts credited thereto in relation to the employee and the interest due thereon.

Deposits to carry simple interest.

7. (*1*) Every amount credited under section 6, in relation to an employee in a Deposit Account, shall carry simple interest at a rate, which shall be two and a half per cent. over and above the bank deposit rate.

(*2*) The interest due on the amount credited in any Deposit Account shall be calculated in such manner as may be specified in the scheme.

(*3*) Interest accruing on amounts credited under section 6 to any Deposit Account shall ensure to the benefit of the employee in relation to whom such amounts have been credited.

43 of 1961. **10 of 1949.**

(*4*) For the purpose of the deduction under section 80L of the Income-tax Act, 1961, interest received on a deposit under this Ordinance shall be deemed to be interest received on a deposit with a banking company to which Banking Regulation Act, 1949, applies.

Assessment for the purpose of income-tax.

43 of 1961.

8. (*1*) For the purposes of computing, under the Income-tax Act, 1961, the total income of an employee, the amount credited to his ledger account in the Additional Wages Deposit Account or the Additional Dearness Allowance Deposit Account shall not be included in his total income of the previous year in which it is so credited; but so much of the amount as is repaid to him shall be liable to be included in his total income of the previous year in which it is repaid.

(2) For the purposes of computing, under the Income-tax Act, 1961, the total income of an employee, the amount repaid to him under this Ordinance shall be deemed to be salary paid to him in arrears and the provisions of sub-section (1) of section 89 of that Act shall apply accordingly. 43 of 1961.

Explanation.—In this section, "previous year" and "total income" have the meanings respectively assigned to them in the Income-tax Act, 1961. 43 of 1961.

Repayment of deposits.

9. (1) Subject to the provisions of sub-section (2), every amount credited to the Deposit Accounts shall be repayable with interest due thereon,—

(a) in the case of an amount credited to the Additional Wages Deposit Account, at any time after the expiry of one year from the appointed day; and

(b) in the case of an amount credited to the Additional Dearness Allowance Deposit Account at any time after the expiry of two years from the appointed day:

Provided that nothing in this section shall prevent earlier repayment of any amount credited to either of the Deposit Accounts with interest due thereon in any case in which the authority empowered to make such repayment is satisfied that extreme hardship will be caused unless such repayment is made:

Provided further that an employee may, at his option, retain the whole or any part of the amount credited in relation to him in the Additional Wages Deposit Account or the Additional Dearness Allowance Deposit Account, or both, until his superannuation or until such date as may be specified by the Central Government in this behalf:

Provided also that the whole of the amount standing to the credit of an employee in either or both of the Deposit Accounts shall be repaid to him on his superannuation or resignation from office or if he ceases to be in the service of the employer by whom the amount was credited to the Deposit-Account.

(2) The aggregate amount credited to any Deposit Account by or in relation to an employee shall be repaid to the employee in five equal annual instalments commencing from the expiry of one year or two years, as the case may be, from the appointed day, together with interest due on unpaid instalment or instalments.

Additional Emoluments Compulsory Deposit Scheme.

10. (1) The Central Government shall, by notification, frame one or more schemes, to be called the "Additional Emoluments Compulsory Deposit Scheme", in relation to the amounts credited to the Deposit Accounts under this Ordinance.

(2) A scheme framed under sub-section (1) may provide for—

(a) the authorities by which the Additional Wages Deposit Account and Additional Dearness Allowance Deposit Account shall be opened and maintained;

(b) the manner in which amounts deducted from additional wages or additional dearness allowance shall be credited to the respective Deposit Account;

(c) the documents to be issued to persons in relation to whom amounts have been credited to the Deposit Accounts as evidence of such credit;

(*d*) authority or authorities by or through which credits to the Deposit Accounts may be made;

(*e*) the accounts to be maintained with respect to the amounts credited to the Deposit Accounts and the officer by whom such Accounts shall be maintained;

(*f*) the nomination of persons to receive the amount standing in a Deposit Account to the credit of an employee in the event of his death; and cancellation or change of such nomination;

(*g*) the issue of duplicate of any document issued as evidence of any credit in the event of loss or destruction of the original and the fee, not exceeding rupees two, on the payment of which such duplicate may be issued;

(*h*) repayment of amounts credited to the Deposit Accounts with interest due thereon and the conditions, if any, under which such repayment may be made;

(*i*) any other matter which may be necessary or proper for the effective implementation of the scheme.

(*3*) A scheme framed under this section may provide that all or any of its provisions shall take effect, either prospectively or retrospectively, on such date as may be specified in this behalf in the scheme and every scheme framed under this section shall have effect notwithstanding anything contained in any law (other than this Ordinance) for the time being in force or in any instrument having effect by virtue of any enactment other than this Ordinance.

(*4*) The Central Government may make a scheme to add to, amend or vary any scheme made under sub-section (*1*).

11. Where the amount of any credit to be made in any Deposit Account contains a part of a rupee, then, such part, if it is fifty paise or more, shall be increased to one complete rupee and if it is less than fifty paise, it shall be ignored. Rounding off.

CHAPTER III

Miscellaneous

12. (*1*) Whoever, with a view to— Penalties.

(*a*) avoiding making any deductions of additional wages and additional dearness allowance and crediting the same to the Additional Wages Deposit Account or the Additional Dearness Allowance Deposit Account, as the case may be, or

(*b*) aiding or abetting any other person to avoid making any such deduction or credit,

knowingly makes, or causes to be made, any statement or representation which he knows to be false or does not believe to be true, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(*2*) Any employer who omits or fails, without any reasonable excuse, to comply with the provisions of this Ordinance or of any scheme or order made under the scheme, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

Offences by companies

13. (*1*) Where an offence under this Ordinance has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Ordinance, has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm, and, in relation to a Hindu undivided family, means the *Karta* of such family.

Power to exempt.

14. Where the Central Government is of the opinion that it is necessary or expedient so to do either in the public interest or having regard to the peculiar circumstances of any case, it may, by notification, and subject to such conditions, if any, as it may specify in the notification,—

(*a*) exempt any establishment or category of employees working in any establishment from the operation of all or any of the provisions of this Ordinance;

(*b*) exempt, in the case of extreme hardship to any employee, from crediting any amount in relation to such employee to the Additional Wages Deposit Account;

(*c*) empower deductions from additional wages in relation to an employee or class of employees, at a rate lesser than the rate specified in this Ordinance.

Power to delegate.

15. The Central Government may, by notification, direct that any power which may be exercised by it under this Ordinance or any scheme framed under this Ordinance shall, subject to such restrictions and conditions, if any, as it may specify in the notification, be exercised also by—

(*a*) such officer or authority subordinate to Central Government; or

(*b*) such State Government or such officer or authority subordinate to a State Government; or

(*c*) such other authority as may be specified in the notification.

Protection against attachment.

16. (*1*) The amount standing to the credit of any employee in any Deposit Account shall not be liable to attachment under any decree or order of any Court in respect of any debt or liability incurred by the employee.

(*2*) Any amount standing to the credit of an employee in any Deposit Account at the time of his death and payable to his nominee under the scheme shall vest in the nominee and

shall be free from any debt or other liability incurred by the deceased or incurred by the nominee before the death of the employee.

Power to call for returns and inspect accounts.

17. (*1*) The specified authority may call for such returns as may be prescribed from any employer to whom this Ordinance applies.

(*2*) The books of account and other books and papers of any employer to whom this Ordinance applies shall be open to inspection by the specified authority or any officer of Government authorised by the Central Government in this behalf during the business hours:

Provided that such inspection may be made without giving any previous notice to the employer or any officer of the employer.

(*3*) The specified authority or any authorised officer may, during the course of inspection,—

(*i*) make, or cause to be made, copies of the books of account and other books and papers;

(*ii*) place, or cause to be placed, any marks of identification thereon in token of the inspection having been made.

(*4*) It shall be the duty of every employer to whom this Ordinance applies, to produce such books of account and other books and papers as the specified authority or the officer making the inspection may require.

Protection of action taken in good faith.

18. No suit or other legal proceeding shall lie against the Central Government or any State Government or any officer authorised by the Central or State Government to discharge any functions under this Ordinance, for any loss or damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Ordinance.

Recovery of arrears.

19. Any amount which ought to have been credited under this Ordinance to a Deposit Account but has not been so credited, shall be recoverable as an arrear of land revenue.

Power to make rules.

20. (*1*) The Central Government may, by notification, make rules to carry out the provisions of this Ordinance.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(*a*) the conditions under which any category of employees may be exempted from the provisions of this Ordinance;

(*b*) the manner in which interest is to be computed on the amounts deposited in the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account;

(*c*) the manner in which withdrawals from the Additional Wages Deposit Account or Additional Dearness Allowance Deposit Account may be made;

(*d*) any other matter in relation to which such rule is required to be, or may be, made.

(*3*) Every rule and every scheme made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately

following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or the scheme, as the case may be, or both Houses agree that the rule or scheme, as the case may be, should not be made, the rule or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.

Power to remove difficulties.

21. If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order, not inconsistent with the provisions of this Ordinance, remove the difficulty :

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

V. V. GIRI,

President.

S. K. MAITRA,

Joint Secy. to the Government of India.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF PANCHAYATS

NOTIFICATION

No. 12220/Panch.—29th July 1974.—The following draft of rules which, in exercise of the power conferred by section 224 of the West Bengal Panchayat Act, 1973 (West Bengal Act XLI of 1973), the Governor proposes to make, is hereby published as required under sub-section (1) of that section for the information of persons likely to be affected thereby.

The draft will be taken into consideration on or after the fifteenth day from the date of its publication in the Official Gazette and any objection or suggestion with respect thereto which may be received by the undersigned before that day shall be considered.

DRAFT RULES

CHAPTER I

Preliminary

1. **Short Title.**—These rules may be called the West Bengal Panchayat (Constitution) Rules, 1974.

2. **Definition.**—(1) In these rules,—

(a) "Act" means the West Bengal Panchayat Act, 1973 (West Bengal Act XLI of 1973);

(b) "Form" means a Form appended to these rules and includes a translation thereof in Bengali and Nepali;

(c) "Section" means a section of the Act;

(2) The expressions used in these rules, but not defined shall have the meanings assigned to them respectively in the Act.

(3) The Bengal General Clauses Act, 1899 (I of 1899) shall apply for interpretation of these rules as it applies for the interpretation of an Act of the West Bengal Legislative Assembly.

CHAPTER II

Election of Pradhan and Upa-Pradhan of Gram Panchayat

3. (1) As soon as may be after the constitution of a Gram Panchayat is notified in the Official Gazette under sub-section (4) of section 4, but not later than fifteen days from the date of publication of the notification, the prescribed authority appointed for the purpose of sub-section (2) of section 9 shall call a meeting of all the members of such Gram Panchayat for the taking of oath and for the election of a Pradhan and a Upa-Pradhan of the Gram Panchayat, by fixing a date, place and time and causing a written notice to this effect in Form 1 to be served on each member of the Gram Panchayat at least ten days before the date fixed for the meeting.

(2) Such meeting shall be presided over by such officer as may be authorised by the prescribed authority in Form 2, and such officer shall not be entitled to vote at the election.

(3) On the date of the meeting if there is no quorum as provided for in sub-section (3) of section 16 the Presiding Officer shall adjourn the meeting. The adjourned meeting shall be held on such date, place and time as may be fixed by the prescribed authority and the provisions regarding notice to members of Gram Panchayat referred to in sub-rule (1) shall apply.

(4) The membes who are required to take oath under section 197 shall, before taking the seats, make and subscribe an oath or affirmation in Form 3 before the Presiding Officer.

(5) The Presiding Officer shall, immediatley after the commencement of the meeting, satisfy all members present that the ballot box is empty and shall then close and seal it. The ballot box shall be placed in view of the Presiding Officer.

(6) The Presiding Officer shall call upon the members present to propose and second the names of the candidates for election of the Pradhan of the Gram Panchayat. He shall record the names of the candidates proposed together with the names of the proposers and seconders. He shall reject any proposal after the list of candidates has been finalised by him.

(7) If only one candidate is proposed and seconded the Presiding Officer shall, in Form 4, declare him to be duly elected Pradhan of the Gram Panchayat. If more than one candidate have been proposed and seconded, the Presiding Officer shall cause to be prepared as many ballot papers as there are members present containing the names of candidates arranged according to the alphabetical order of their surnames in Form 5 and hand over one such ballot paper to each member present after putting his initial on the back of each ballot paper. The Presiding Officer shall then ask each member in turn to record his vote at a table so placed that no other person can overlook him, by placing the mark "X" in the place provided for the purpose in the ballot paper opposite to the name of the candidate for whom he intends to vote, to fold it up and to insert into the ballot box. Immediately after the voting is over, the Presiding Officer shall open the ballot box in presence of the members present, take out the ballot papers therefrom, count them and record the number thereof in Form 6. The Presiding Officer may reject any ballot paper which, in his opinion, raises a reasonable doubt as to for whom the voter has cast his vote. A note to this effect shall be made by the Presiding Officer upon ballot paper so rejected and it shall not be included in the count. The Presiding Officer shall, in Form 7, declare the candidate who has secured the largest number of votes to be duly elected Pradhan of the Gram Panchayat. In case of equal number of votes being recorded in favour of two or more candidates, selection shall be made from such candidates by lot in such manner as the Presiding Officer shall deem fit and thereupon the candidate thus selected shall be declared to be duly elected as Pradhan of the Gram Panchayat.

(8) After the election of the Pradhan, election of the Upa-Pradhan shall be held in the aforesaid manner.

(9) The Presiding Officer shall forward the names of the Pradhan and the Upa-Pradhan to the prescribed authority who shall publish the same in the locality in such manner as he may think fit. The prescribed authority shall forward the names of Pradhan and Upa-Pradhn to the District Panchayat Election Officer, State Panchayat Election Officer and the State Government for information. The State Panchayat Election Officer shall publish the names of the Pradhan and the Upa-Pradhan in the Official Gazette.

(10) The papers relating to the election of the Pradhan or the Upa-Pradhan shall be sent by the Presiding Officer to the prescribed authority for safe custody. The prescribed authority shall keep the papers in safe custody for six months after which they may be destroyed.

CHAPTER III

Election of Sabhapati and Sahakari Sabhapati of Panchayat Samiti

4. (1) As soon as may be after the constitution of a Panchayat Samiti is notified in the Official Gazette under sub-section (3) of section 94 but not later than fifteen days from the date of publication of the notificaion, the prescribed authority appointed for the purpose of sub-section (2) of section 98 shall call a meeting of all the members of the Panchayat Samiti for the taking of oath and for the election of a Sabhapati and a Sahakari Sabhapati of the Panchayat Samiti, by fixing a date, place and time and by causing a written notice to this effect in Form 1 to be served on each member of the Panchayat Samiti at least ten days before the date fixd for the meetnig.

(2) Such meetnig shall be presided over by such officer, not below the rank of a Gazetted Officer, as may be authorised by the prescribed authority in Form 2, and such officer shall not be entitled to vote at the election.

(3) On the date of the meeting if there is no quorum as provided for in sub-section (3) of section 105 the Presiding Officer shall adjourn the meting. The adjourned meeting shall be held on such date, place and time as may be fixed by the prescribed authority and the provisions regarding notice to members of Panchayat Samiti referred to in sub-rule (1) shall apply.

(4) The Presiding Officer shall then conduct the election of the Sabhapati or Sahakari Sabhapati in the same manner as laid down under sub-rules (4), (5), (6), (7), (8), (9) and (10) of rule 3.

CHAPTER IV

Election of Sabhadhipati and Sahakari Sabhadhipati of Zilla Parishad

5. (1) As soon as may be after the constitution of a Zilla Parishad is notified in the Official Gazette under sub-section (3) of section 140 but not later than fifteen days from the date of publication of the notification, the prescribed authority appointed for the purpose of sub-section (2) of section 143 shall call a meeting of all the members of the Zilla Parishad for the taking of oath and for the election of a Sabhadhipati and a Sahakari Sabhadhipati of the Zilla Parishad, by fixing a date, place and time and by causing a written notice to this effect in Form 1 to be served on each member of the Zilla Parishad at least ten days before the date fixed for the meeting.

(2) Such meeting shall be presided over by such officer not below the rank of a Gazetted Officer, as may be authorised by the prescribed authority in Form 2, and such officer shall not be entitled to vote at the election.

(3) On the date of the meeting if there is no quorum as provided for in sub-section (3) of section 150 the Presiding Officer shall adjourn the meeting. The adjourned meeting shall be held on such date, place and time as may be fixed by the prescribed authority and the provisions regarding notice to members of Zilla Parishad as referred to in sub-rule (1) shall apply.

(4) The Presiding Officer shall then conduct the election of the Sabhadhipati or Sahakari Sabhadhipati in the same manner as laid down under sub-rules (4), (5), (6), (7), (8), (9) and (10) of rule 3.

CHAPTER V

Number of members of Sthayee Samiti of Panchayat Samiti

6. The number of members of each Sthayee Samiti of a Panchayat Samiti to be elected by members of a Panchayat Samiti under clause (b) of sub-section (2) of section 124 shall be as follows:—

Number of members of a Panchayat Samiti under section 94(2).	Number of members of each Sthayee Samiti of Panchayat Samiti.
(1)	(2)
10 and below	3
11 to 25	4
26 and above	5

CHAPTER VI

Election of members of Sthayee Samiti of Panchayat Samiti

7. (1) Within one week from the date of election of the Sabhapati of a Panchayat Samiti the Subdivisional Officer shall call a meeting of the members of the Panchayat Samiti for election under clause (b) of sub-section (2) of section 124, of members of the Sthayee Samitis by fixing a date, time and place and by causing a written notice thereof in Form 1 to be served on each member of the Panchayat Samiti at least ten days before the date fixed for the purpose.

(2) Such meeting shall be presided over by such officer not below the rank of a Gazetted Officer as may be authorised by the Subdivisional Officer in Form 2 and such Officer shall not be entitled to vote at the election.

(3) If on the date of the meeting there is no quorum, the Presiding Officer shall adjourn the meeting which shall be held on a date to be fixed by the Subdivisional Officer. The adjourned meeting shall be held on such date, place and time as may be fixed by the Subdivisional Officer and the provisions regarding notice to members of Panchayat Samiti referred to in sub-rule (1) shall apply.

(4) The Presiding Officer shall immediately after the commencement of the meeting satisfy all the members present that the ballot boxes are empty and shall then close and seal them. There shall be as many ballot boxes as there are Sthayee Samitis to be constituted, each ballot box bearing a label mentioning the name of Sthayee Samiti for which it is meant. The ballot box shall be placed in the view of the Presiding Officer.

(5) The election of Sthayee Samiti shall be conducted one after another in the same order as mentioned in sub-section (1) of section 124.

(6) The Presiding Officer shall call upon the members present to propose and second the names of candidates for election as members of a Sthayee Samiti. He shall record the names of the candidates proposed for the Sthayee Samiti together with the names of their proposers and seconders. If the number of candidates proposed and seconded for a Sthayee Samiti is equal to, or less, than the number of seats prescribed under rule 6 the Presiding Officer shall declare them in Form 4 to be duly elected members of the Sthayee Samiti.

(7) When the number of candidates declared to be elected under sub-rule (6) is less than the number of seats prescribed, the Subdivisional Officer shall call a meeting of members of the Panchayat Samiti for a fresh election to complete the number and the provisions regarding notice to members referred to in sub-rule (1) shall apply.

(8) If more than the prescribed number of seats are proposed and seconded for a Sthayee Samiti, the Presiding Officer shall cause to be prepared as many ballot papers in Form 5 as there are members present, each ballot paper bearing the name of the Sthayee Samiti and containing the names of the candidates arranged according to their surnames for election to the Sthayee Samiti.

(9) The Presiding Officer shall hand over the ballot paper to each member present after putting his initials on the back of each such ballot paper. He shall then ask each member to record his vote at a table so placed that no other person can overlook him by placing the mark "X" in the place provided for the purpose in the ballot paper opposite to the name of the candidate or candidates for whom the member intends to vote, to fold it up and to insert it into the ballot box bearing the label of the Sthayee Samiti concerned.

(10) Immediately after voting is over the Presiding Officer shall open the ballot box in the presence of the members, take out the ballot papers therefrom, count them and record the number thereof in Form 6.

(11) The Presiding Officer may reject any ballot paper which, in his opinion, raises a reasonable doubt as to for whom the voter cast the vote, after recording a note to this effect on the ballot papers so rejected. He shall in Form 7 declare the prescribed number of candidates who have secured the larger number of votes in order of merit to be duly elected as membes of the Sthayee Samiti concerned.

(12) In case of an equal number of votes recorded in favour of two or more candidates selection shall be made of such candidates by lot in such manner as the Presiding Officer shall deem fit and thereupon the candidates thus selected shall be declared to be duly elected as member of the Sthayee Samiti.

(13) As soon as election of members to all the Sthayee Samitis is completed in the aforesaid manner the Presiding Officer shall forthwith forward the names of elected members of all the Sthayee Samitis to the Sabhapati of Panchayat Samiti and to the Subdivisional Officer for publication in their offices. The Subdivisional Officer shall forward the names of elected members of all the Sthayee Samitis to the District Panchayat Election Officer, State Panchayat Election Officer and the State Government for information. The State Panchayat Election Officer shall publish the names of the members of the Sthayee Samiti in the Official Gazette.

(14) The papers relating to the election of members to Sthayee Samitis of the Panchayat Samiti shall be sent to the Subdivisional Officer for safe custody. The Subdivisional Officer shall keep the papers in safe custody for three months after which they may be destroyed.

CHAPTER VII

Election of Karmadhyaksha of a Sthayee Samiti of Panchayat Samiti

8. (1) Within one week from the date of the election of members of a Sthayee Samiti under clause (b) of sub-section (2) of section 124, the Subdivisional Officer shall by a notice in Form 1 call a meeting of the members of each Sthayee Samiti other than members appointed under clause (c) of sub-section (2) of that section for the election of a Karmadhyaksha.

(2) The election meeting shall be presided over by an officer not below the rank of Gazetted Officer as may be authorised by the Subdivisional Officer in Form 2. Such officer shall not be entitled to vote at the election.

(3) The election of the Karmadhyaksha of the Sthayee Samiti shall be conducted in the same manner as laid down under sub-rules (3), (5), (6), (7) of rule 3 as far as applicable:

Provided that one-half of the total number of members of the Sthayee Samiti shall form a quorum for the meeting.

(4) The Presiding Officer shall send the name of the Karmadhyaksha of each Sthayee Samiti to the Subdivisional Officer who shall forward the same to the Sabhapati of the Panchayat Samiti as also to the District Panchayat Election Officer, the State Panchayat Election Officer and the State Government for information. The State Panchayat Election Officer shall publish the name of the Karmadhyaksha in the Official Gazette.

(5) The Presiding Officer shall send the papers relating to the election of Karmadhyaksha to Sthayee Samitis of a Panchayat Samiti to the Subdivisional Officer for safe custody. The Subdivisional Officer shall keep the papers in safe custody for three months after which they may be destroyed.

(6) The name of the Karmadhyaksha along with the names of members of each Sthayee Samiti shall then be published in the offices of the Subdivisional Officer and the Panchayat Samiti.

CHAPTER VIII

Election of members of Sthayee Samiti of Zilla Parishad

9. The number of each Sthayee Samiti of a Zilla Parishad to be elected by the members of the Zilla Parishad under clause (b) of sub-section (2) of section 171 shall be as follows:—

Number of members of a Zilla Parishad under sub-section 140(2).	Number of members of each Sthayee Samiti of Zilla Parishad.
(1)	(2)
30 and below	3
31 to 60	4
61 and above	5

CHAPTER IX

Election of members of Sthayee Samitis of Zilla Parishad

10. (1) Within one week from the date of election of the Sabhadhipati of a Zilla Parishad the District Magistrate shall call a meeting of the members of the Zilla Parishad for election of members of the Sthayee Samitis by fixing a date, time and place and by causing a written notice thereof in Form 1 to be served on each member of the Zilla Parishad at least ten days before the date fixed for the purpose.

(2) The election meeting shall be presided over by an officer not below the rank of a Gazetted Officer authorised in this behalf in Form 2 by the District Magistrate. Such officer shall not be entitled to vote at this election.

(3) The election shall be conducted, as far as possible, in the manner as laid down under sub-rules (3) to (12) of rule 7.

(4) As soon as election of members to all Sthayee Samitis is completed the Presiding Officer shall forward to the District Magistrate and the Sabhadhipati of the Zilla Parishad, the names of the candidates elected as members of each Sthayee Samiti for publication in their offices. The District Magistrate shall forward these names of elected members of Sthayee Samitis to the District Panchayat Election Officer, the State Panchayat Election Officer and the State Government for information. The State Panchayat Election Officer shall publish the names of the members of the Sthayee Samiti in the Official Gazette.

(5) The papers relating to the election of members to the Sthayee Samitis shall be sent to the District Magistrate for safe custody. The District Magistrate shall keep the papers in safe custody for three months after which they may be destroyed.

CHAPTER X

Election of Karmadhyaksha of Sthayee Samiti of Zilla Parishad

11. (1) Within one week from the date of the election of members of Sthayee Samiti under clause (b) of sub-section (2) of section 171 the District Magistrate shall, by a notice in Form 1, call a meeting of the members of each Sthayee Samiti other than the members appointed under clause (c) of sub-section (2) of that section for the election of a Karmadhyaksha.

(2) The election meeting shall be presided over by such officer, not below the rank of a Gazetted Officer, as may be authorised in this behalf, in Form 2 by the District Magistrate. Such officer shall not be entitled to vote at the election.

(3) The election of Karmadhyaksha of a Sthayee Samiti shall be conducted in the same manner as laid down under sub-rules (3), (5), (6) and (7) of rule 3 as far as applicable:

Provided that one-half of the members of a Sthayee Samiti shall form a quorum for the meeting.

(4) The Presiding Officer shall send the name of the Karmadhyaksha of each Sthayee Samiti to the Sabhadhipati of the Zilla Parishad and the District Magistrate who shall forward the same to the District Panchayat Election Officer, the State Panchayat Election Officer and the State Government for information. The State Panchayat Election Officer shall publish the name of Karmadhyaksha in the Official Gazette.

(5) The Presiding Officer shall send the papers relating to the election of Karmadhyaksha to a Sthayee Samiti of a Zilla Parishad to the District Magistrate for safe custody. The District Magistrate shall keep the papers in safe custody for three months after which they may be destroyed.

(6) The names of Karmadhyaksha along with the names of the members of each Sthayee Samiti shall then be published in the offices of the Zilla Parishad and the District Magistrate.

CHAPTER XI

Resignation of and filling up of casual vacancy in the office of the Karmadhyaksha or any member of a Sthayee Samiti, of a Panchayat Samiti or a Zilla Parishad.

12. (1) The Karmadhyaksa or any member of a Sthayee Samiti of a Panchayat Samiti may resign his office by notifying in writing his intention to do so to the Subdivisional Officer and shall vacate his office on such resignation being accepted by the said officer.

(2) The Karmadhyaksha or any member of a Sthayee Samiti of a Zilla Parishad may resign his office by notifying in writing his intention to do so to the District Magistrate and shall vacate his office on such resignation being accepted by the said officer.

13. (1) Any casual vacancy in the office of the Karmadhyaksha of a Sthayee Samiti of a Panchayati Samiti or a Zilla Parishad by death, resignation, removal or otherwise shall be filled by election in the manner laid down in rules 8 or 11 as the case may be.

(2) When a casual vacancy in the office of a Karmadhyakshya of a Sthayee Samiti of a Panchayat Samiti occurs, the Subdivisional Officer shall by a notice in Form 1 call a meeting within thirty days from the date of the casual vacancy of the members of the Sthayee Samiti for election of a Karmadhyaksha.

(3) When a casual vacancy in the office of the Karmadhyaksha of a Sthayee Samiti of a Zilla Parishad occurs, the District Magistrate shall, by a notice in Form 1 call a meeting of the members within thirty days from the date of the casual vacancy of the Sthayee Samiti for the election of a Karmadhyaksha.

14. (1) Any casual vacancy in the office of an elected member of a Sthayee Samiti of a Panchayat Samiti shall be filled by a fresh election.

(2) When a casual vacancy in the office of an elected member occurs, the Subdivisional Officer shall, within thirty days by a notice in Form 1, call a meeting of the members of the Panchayat Samiti for the election of a member. The provisions of rule 7 shall, as far as may be, apply to such election.

15. (1) Any casual vacancy in the office of an elected member of a Sthayee Samiti of a Zilla Parishad shall be filled by a fresh election.

(2) When a casual vacancy in the office of an elected member occurs, the District Magistrate shall, within thirty days by a notice in Form 1, call a meeting of the members of the Zilla Parishad for the election of a member. The provisions of rule 10 shall, as far as may be, apply to such election.

FORM 1

*[Rules 3(1), 4(1), 4(4), 5(1), 5(4), 7(1), 3(1), 10(1), 11(1), 13(2), 13(3), 14(2), 15(2)].

Form of notice of meeting for the taking of oath and/or for election of Pradhan */Upa-Pradhan of Gram Panchayat, Sabhapati/Sahakari Sabhapati of Panchayat Samiti/Sabhadhipati Sahakari Sabhadhipati of Zilla Parishad, members/Karmadhyaksha of Sthayee Samiti of Panchayat Samiti, Members/Karmadhyaksha of Sthayee Samiti of Zilla Parishad.

In pursuance of the provisions under rule *3(1)/4(1)//4(4)/5(1)/ '5(4)/ 7(1)/8(1)/10(1)/11(1)/13(2)/13(3)/14(2) and 15(2) of the West Bengal Panchayat (Constitution) Rules, 1974, notice is hereby given for a meeting of the **..... Gram Panchayat */Panchayat Samiti/Zilla Parishad/Sthayee Samiti of **..... Panchayat Samiti */Zilla Parishad to be held at the time, place and on the date fixed below to take oath and/or to elect Pradhan* and Upa-Pradhan/ Sabhapati and Sahakari Sabhapati/Sabhadhipati and Sahakari Sabhadhipati/ Members of Sthayee Samiti/Karmadhyaksha of Sthayee Samiti.

All members of Gram Panchayat*/Panchayat Samiti/Zilla Parishad/ Sthayee Samitis of Panchayat Samiti/Zilla Parishad are requested to attend.

Date	Place	Time
(1)	(2)	(3)

Date.....

Place.....

Prescribed Authority and Block Development Officer/Subdivisional Officer/District Magistrate.

*Strike off the words and figures which are not applicable.

**Appropriate particulars of the election to be inserted here.

FORM 2

*[Rules 3(2), 4(2), 4(4), 5(2), 5(4), 7(2), 8(2), 10(2), 11(2), 13(2), 13(3), 14(2), 15(2)].

Form of appointment of Presiding Officer for election of Pradhan* and Upa-Pradhan of Gram Panchayat/Sabhapati and Sahakari Sabhapati of Panchayat Samiti, Sabhadhipati/Sahakari Sabhadhipati of Zilla Parishad/ Members and Karmadhyaksha of Sthayee Samiti of Panchayat Samiti/ Members and Karmadhyaksha of Sthayee Samiti of Zilla Parishad.

In exercise of the powers conferred on me by rule *3(2)/4(2)/4(4)/5(2)/ 5(4)/7(2)/8(2)/10(2)/11(2)/13(2)/13(3)/14(2)/15(2) of the West Bengal Panchayat (Constitution) Rules, 1974, I do hereby appoint Shri..... ....., (Designation) to preside over the meeting for election of Pradhan* and Upa-Pradhan of **..... Gram Panchayat/Sabhapati* and Sahakari Sabhapati of **..... ..... Panchayat Samiti/Sabhadhipati* and Sahakari Sabhaphipati of **..... Zilla Parishad/Members* and Karmadhyaksha of Sthayee Samitis of **..... Panchayat Samiti/ Members*/Karmadhyaksha of **..... Sthayee Samitis of **..... Panchayat Samiti/Zilla Parishad.

Place.....

Date.....

Prescribed Authority and Block Development Officer/ Subdivisional Officer/District Magistrate.

*Strike off the words and figures which are not applicable.

**Appropriate particulars of the election to be inserted here.

FORM 3

*[Rule 3(4), 4(3), 5(3).]

Form of oath or affirmation to be made by a member of a Gram Panchayat Panchayat Samiti/Zilla Parishad.

I, A. B..... having been elected a member o the **..... Gram Panchayat*/Panchayat Samiti/Zill Parishad do swear in the name of God/solemnly affirm that I will bear tru faith and allegiance to the Constitution of India as by law established, an that I will faithfully discharge the duties upon which I am about to enter.

Date.....

Place.....

.....

(Signature)

*Strike off the words and figures which are not applicable.

**Appropriate particulars of the election to be inserted here.

FORM 4

*[Rules 3(7), 4(3), 4(4), 5(3), 5(4), 7(6), 8(3), 10(3), 11(3), 13(2), 13(3), 14(2), 15(2)].

Form of declaration of result of an uncontested election in the office of Pradhan* and Upa-Pradhan of Gram Panchayat/Sabhapati and Sahakari Sabhapati of Panchayat Samiti/Sabhadhipati and Sahakari Sabhadhipati of Zilla Parishad/Members and Karmadhyaksha of a Sthayee Samiti of Panchayat Samiti/Zilla Parishad.

In pursuance of the provision of rules *3(7)/4(3)/4(4)/5(3)/5(4)/7(6)/8(3)/10(3)/11(3)/13(2)/13(3)/14(2)/15(2) of the West Bengal Panchayat (Constitution) Rules, 1974, the following person(s) is/are hereby declared as duly elected Pradhan* /Upa-Pradhan / Sabhapati / Sahakari Sabhapati / Sabhadhipati/ Sahakari Sabhadhipati/Members/Karmadhyaksha of a Sthayee Samiti of a Panchayat Samiti/Zilla Parishad.

Name of the Gram Panchayat/ Panchayat Samiti/Zilla Parishad/ Sthayee Samiti of Panchayat Samiti/Zilla Parishad.	Name and address of the person(s) elected.	Name of the office to which elected.
1	2	3

Date.....

Place.....

.....

Signature of the Presiding Officer.

*Strike off the words and figures which are not applicable.

FORM 5

*[Rules 3(7), 4(3), 4(4), 5(3), 5(4), 7(6), 8(3), 10(3), 11(3), 13(2), 13(3), 14(2) and 15(2)].

Form of Ballot paper for election of Pradhan* /Upa-Pradhan of **..... Gram Panchayat; Sabhapati* /Sahakari Sabhapati of **..... Panchayat Samiti; Sabhadhipati* /Sahakari Sabhadhipati of **..... ..... Zilla Parishad; Members*/Karmadhyaksha of **..... ..... Sthayee Samiti of **..... Panchayat Samiti* /Zilla Parishad.

Serial No.	Name of candidate(s).	For mark (X) by voter.
1	2	3
1		
2		
3		
4		
5		

Place.....

Date.....

.....

(Signature of Presiding Officer)

*Strike off the words and figures which are not applicable.

**Appropriate particulars of the election to be inserted here.

Instruction: (1) As many votes as there are seats may be given but not more than one vote shall be given to any candidate.

(2) Voting mark "X" shall be placed against the name of the candidate in the specified column (3) for whom the voter desires to vote.

FORM 6

*[Rules 3(7), 3(3), 4(4), 5(3), 5(4), 7(10), 8(3), 10(3), 11(3), 13(2), 13(3), 14(2), 15(2)].

Form of recording the number of valid votes in an election of Pradhan*/Upa-Pradhan of Gram Panchayat/Sabhapati/Sahakari Sabhapati of Panchayat Samiti, Sabhadhipati/Sahakari Sabhadhipati of Zilla Parishad, Member/Karmadhyaksha of Sthayee Samiti of Panchayat Samiti/Zilla Parishad.

In pursuance of the provisions under rule(s) ·3(7)/4(3)/4(4)/5(3)/5(4)7(10)/8(3)/11(3)/13(2)/13(3)/14(2)/15(2) of the West Bengal Panchayat (Constitution) Rules, 1974, the number of valid votes received by the person(s) in an election of Pradhan*/Upa-Pradhan of a Gram Panchayat, Sabhapati/Sahakari Sabhapati of a Panchayat Samiti, Sabhadhipati/Sahakari Sabhadhipati of Zilla Parishad, Member(s)/Adhyaksha of a Sthayee Samiti of Panchayat Samiti/Zilla Parishad is recorded below:

Name of Gram Panchayat*/ Panchayat Samiti/Zilla Parishad/Sthayee Samiti/ of Panchayat Samiti/ Zilla Parishad.	Name of contesting candidates.	Nature of office for which election held.	No. of valid votes secured.
1	2	3	4
1			
2			
3			
4			
5			

Date.....

Place.....

.....

Signature of the Presiding Officer.

*Strike off the words and figures which are not applicable.

FORM 7

*[Rule 3(7), 4(3), 4(4), 5(3), 5(4), 7(11), 8(3), 10(3), 11(3), 13(2), 13(3), 14(2), 15(2)].

Form of declaration of result of a contested election in the office of Pradhan*/Upa-Pradhan of Gram Panchayat, Sabhapati/Sahakari Sabhapati of Panchayat Samiti/Sabhadhipati and Sahakari Sabhadhipati of Zilla Parishad/Member/Karmadhyaksha of a Sthayee Samiti of a Panchayat Samiti/Zilla Parishad.

In pursuance of the provisions of rule *3(7)/4(3)/5(3)/5(4)/7(11)/8(3)/10(3)/11(3)/13(2)/13(3)/14(2)/15(2) of the West Bengal (Constitution) Rules, 1974, the following person(s) is/are hereby declared as duly elected Pradhan*/Upa-Pradhan / Sabhapati / Sahakari Sabhapati / Sabhadhipati / Sahakari

Sabhadhipati/Members/Karmadhyaksha of a Sthayee Samiti of Panchayat Samiti/Zilla Parishad.

Name of the Gram Panchayat/ Panchayat Samiti/Zilla Parishad/ Sthayee Samiti of Panchayat Samiti/Zilla Parishad.	Name and address of the person(s) elected.	Name of the office to which elected.
1	2	3

Date.....

Place.....

.....

Signature of the Presiding Officer.

*Strike off the words and figures which are not applicable.

By order of the Governor,

B. MAJUMDAR,

Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

24-PARGANAS.—No. 14888 L A. (P W)—30th July 1974.—Whereas 16·7909 hectares (41·49 acres), more or less, of land situated in or near the villages of Ariadaha-Kamarhati and Dakshineswar described below, have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3('A) of the Act for the public purpose of maintaining supplies and services essential to the life of the community, namely, for Baranagar-Kamarhati Water Works (Phase II);

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, 24-Parganas (North), Bhabani Bhawan, Calcutta-27.

Description of the land

Mouza Ariadaha-Kamarhati, jurisdiction list No. 1, police-station Baranagar, district 24-Parganas.

Revisional survey plots in full—5937, 5938, 5939, 5940, 5997, 5998, 6000, 6003, 6007, 6008, 6009, 6010, 6011, 6012, 6016, 6017, 6018, 6020, 6021, 6022, 6023, 6024, 6025, 6026, 6027, 6028, 6029, 6030, 6031, 6032, 6033, 6034, 6035, 6036, 6037, 6038, 6039, 6040, 6041, 6042, 6043, 6044, 6045, 6046, 6047, 6048, 6049, 6050, 6051, 6052, 6053, 6054, 6055, 6056, 6057, 6058, 6059, 6060, 6061, 6062, 6063, 6064, 6065, 6066, 6067, 6068, 6069, 6070, 6071, 6072, 6073, 6074, 6075, 6076, 6077, 6068, 6079, 6080, 6081, 6098, 6135, 6156, 6174, 6175, 6176, 6177, 6178, 6179, 6180, 6181, 6130, 6131, 6132, 6133 and 6134.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
6001	Leaving 0·01 from North-west.	·15	·0607
6002	Eastern	·45	·1827
6004	Eastern	·23	·0931
6019	Leaving ·08 from Northern.	·75	·3035
6099	Eastern	·10	·0405

Mouza Dakshineswar, jurisdiction list No 4, police-station Baranagar, district 24-Parganas.

Revisional survey plots in full—1284, 1285, 1286, 1287, 1289, 1290, 1349, 1362, 1353, 1355, 1356, 1357 and 1359.

By order of the Governor,

S. GHOSH,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATIONS

CALCUTTA.—No. 14728 L.A.(II)/2R-15/74.—29th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55 Judl.(I), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India, as S. R. O. 1074 and published at page 868, Part II, section 3 of the "Gazette of India", dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose namely for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby notified that a piece of land as described in the schedule below and measuring, more or less, 0·0140 of a hectare (0·0346 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the Ward No. 47 of Calcutta Municipality in the city of Calcutta.

This notification is made under the provisions of section 4 of Act I of 1894, read with the said notification, to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No. 45, Princep Street (45 Biplabi Anukul Chandra Street), Calcutta.

In exercise of the powers conferred by the aforesaid section, read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to acquisition thereof, may within thirty days after the date on which public notice of the substance of the notification is given in the locality, file an objection in writing before the Land Acquisition Collector, Calcutta, at 45, Princep Street, (45 Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street, Lane and Premises No.	Description of specific portion to be acquired.	Area Hectare	Acre	Ward No.
1	2	3	4	5
Road Island at the crossing of New C. I. T. Road and Chittaranjan Avenue, Calcutta.	Road Island Full.	0·0140	0·0346	47

And bounded on the—

North—By New C. I. T. Road.
East—By Chittaranjan Avenue.
South—By Eden Hospital Road.
West—By Corporation Road.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy (ex-officio) to the Govt. of West Bengal.

CALCUTTA.—No. 14800 L.A.(II)/2R/16/74.—29th July 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55 Judl.(i), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of Article 258 of the Constitution of India, as S. R. O. 1074 and published at page 868, Part I, section 3 of the "Gazette of India", dated 21st May 1955 ;

And whereas it appear to the Governor that land is likely to be needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby notified that a piece of land comprising premises described in the schedule below and measuring, more or less, 0·0206 of a hectare (0·0509 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the Ward No. 3 of Calcutta Municipality in the city of Calcutta.

This notification is made under the provisions of section 4 of Act I of 1894, read with the said notification to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No 45, Princep Street (45 Biplabi Anukul Chandra Street), Calcutta.

In exercise of the powers conferred by the aforesaid section read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Land Acquisition Collector, Calcutta, at 45 Princep Street (45 Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street/Lane and Premises No.	Description of specific portion to be acquired	Area		Ward No.
		Hectare	Acre	
1	2	3	4	5
	BLOCK A			
Belgachia Road, 56C	Full.	0·0117	0·0289	3
And bounded on the—				
North—By Premises No. 56B, Belgachia Road.				
East—By Premises No. 56D and 56F, Belgachia Road.				
South—By Premises No. 56D, Belgachia Road				
West—By Bijali Dutta Lane.				
	BLOCK B			
Belgachia Road, 55	South-eastern portion.	0·0077	0·019	3
And bounded on the—				
North—By remaining portion of premises No. 55, Belgachia Road.				
East—By a common passage appertaining to premises No. 58/1, Belgachia Road and 55, Belgachia Road.				
South—By premises No. 57, Belgachia Road.				
West—By remaining portion of premises No. 55, Belgachia Road.				
	BLOCK C			
Belgachia Road, 58/1	Triangular strip in eastern portion	0·0012	0·003	3
And bounded on the—				
North—By remaining portion of premises No. 58/1, Belgachia Road.				
East—By premises No. 59, Belgachia Road.				
South—By remaining portion of premises No. 58/1, Belgachia Road.				
West—By remaining portion of premises No. 58/1, Belgachia Road.				

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 18511-F.S./FS/14R-29/69.—30th July 1974.—In exercise of the power conferred by clause (c) of paragraph 2 of the West Bengal Rice and Paddy (Restrictions on Movement) Order, 1968, the Governor is pleased hereby to rescind the following notifications of this Department, except as respects any action taken or anything done or omitted to be done thereunder before the said date, namely,

(1) No. 8160-F.S./FS/14R-166/67, dated the 6th November 1968.

(2) No. 10114-F.S./FS/14R-68/68, dated the 16th December 1968.

(3) No. 637-F.S./FS/14R-29/69, dated the 3rd February 1971.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Govt. Press, Alipore.

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GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Secondary

NOTIFICATION

No. 864Edn(S)/8B-8/74.—23rd July 1974.—In exercise of the power conferred by rule 33 of the Management of Recognised Non-Government Institutions (Aided and Unaided) Rules, 1969, the Governor, on the application of Ramakrishna Sarada Mission, Dakshineswar, on behalf of a class of Institutions to which the provisions of article 26A of the Constitution of India apply, is pleased hereby to make the following other rules for the composition, powers, function of the Managing Committees of such class of Institution, namely:

Rules

1. *Short title, application and commencement*: (1) These rules may be called the Special Rules for the Management of Ramakrishna Sarada Mission (Dakshineswar) Schools.

(2) They shall apply to the Secondary School specified in the Schedule run by the Ramakrishna Sarada Mission, Dakshineswar.

(3) They shall come into force with effect from the date of their publication in the *Calcutta Gazette.*

2. *Definitions*: In these rules, unless the context otherwise requires,—

(a) "Ramakrishna Sarada Mission" (hereinafter referred to as the Mission) means the Association constituted by the Memorandum of Association dated the 7th day of May, 1960, and registered under the Societies Registration Act, 1860 (21 of 1860), on the 13th May, 1960 and deemed to have been registered under the West Bengal Societies Registration Act, 1961 (West Bengal Act XXVI of 1961).

(b) "Governing Body" means the Governing Body of the Mission.

(c) "School Committee" means the Managing Committee of a school constituted under these Rules.

(d) "Branch Managing Committee" means the Managing Committee of a Branch centre of the Mission appointed by the Governing Body.

(e) "Employee" includes a member of both teaching and non-teaching staff of the respective school.

3. *School Committee*: (1) Every school founded by the Mission and recognised under the provisions of the West Bengal Board of Secondary Education Act, 1963 (West Ben. Act V of 1963), shall have a School Committee for its proper management.

(2) The School Committee shall consist of not more than twelve members and there shall be a Sub-Committee appointed by the Branch Managing Committee and approved by Governing Body.

(3) The School Committee shall be constituted as follows:

(i) Representative of the Branch Managing Committee of whom one shall be its Secretary	3
(ii) Representatives of donors, benefactors and persons, interested in education, owing allegiance to the aims and ideals of the Mission	3
(iii) Guardians' representative	2
(iv) Teachers' representatives to be selected by rotation according to seniority from amongst the teaching staff (for one year each)	2
(v) Headmistress or Principal (ex officio)	1
(vi) An officer of the State Government, nominated by the Director of Public Instruction, West Bengal, or by an officer authorised by him in this behalf	1
Total	12

Provided that in the case of residential institutions having students from far off places, the teachers and wardens looking after the students in their hostels may also be nominated as Guardians' representatives:

Provided further that in the case of Junior High Schools, there shall be only one Teachers' representative.

(4) The Branch Managing Committee shall appoint from amongst the members of the School Committee a President, a Vice-President, and a Secretary (who will be the Secretary of the Branch Managing Committee). The Headmistress or the Principal shall be the ex officio Assistant Secretary.

4. *The Committee to act notwithstanding vacancies*: The Committee shall have power to act notwithstanding any vacancy in the membership thereof.

5. *Term of office of the Committee*: The Committee shall hold office for not more than two years, but the period may be extended by the Governing Body at its discretion.

6. *Power to supersede Committee*: The Governing Body of the Mission may, if in its opinion there are sufficient grounds so to do, supersede the School Committee and appoint an ad hoc Committee or a suitable person to discharge all the functions and exercise all the powers of the School Committee pending its reconstitution. In such cases the West Bengal Board of Secondary Education and the Director of Public Instruction, West Bengal, shall be duly informed.

7. *Casual vacancy*: The Branch Managing Committee shall, with the approval of the Governing Body, fill all casual vacancies in the Committee by nomination or selection, as the case may be, of persons belonging to the category or categories in respect of which the vacancies arise. Persons so appointed shall hold office for the remainder of the term of office of the School Committee.

8. *Vacancy caused by absence*: If any member of the School Committee absents himself from four consecutive meetings without sufficient reasons, the Branch Managing Committee may replace him by appointing a person belonging to the category to which the member belongs, in the manner specified in rule 7.

9. *Quorum*: Five members shall form a quorum.

10. *Committee meetings*: The Secretary or in his absence, the Assistant Secretary shall call a meeting of the Committee at least once in two months except during vacations. At least seven clear days' notice shall be given for calling a meeting of the Committee.

11. *Special meeting*: A special meeting may be called by the Secretary on the requisition of not less than four members of the Committee. At least three days' clear notice shall be given for calling a special meeting.

12. *Emergency meetings*: The President may call an emergency meeting of the Committee after giving at least 24 hours' notice.

13. *Confirmation of proceedings*: All resolutions passed at ordinary meetings, special meetings or emergency meetings shall be subject to confirmation or revision at the next ordinary meeting.

14. *Agenda*: The Secretary shall prepare the agenda in consultation with the Headmistress or the Principal. No matter outside the agenda shall be discussed at the meeting without the permission of the Chairman.

15. *President or Vice-President to preside*: The President or in his absence, the Vice-President shall preside over the meetings of the Committee. In the absence of both the President and the Vice-President, the members present shall elect one amongst themselves as Chairman.

16. *Casting vote*: All questions before a meeting of the Committee shall be decided by a majority of votes. In case of equality of votes, the Chairman shall have a casting vote in addition to his ordinary vote.

17. *Place of meetings*: All meetings of the Committee shall be held at the premises of the Institution unless otherwise decided by the Committee itself or by the President in consultation with the Secretary.

18. *Finance and Audit*: (1) Subject to the condition that the ultimate financial and administrative responsibility of the school shall rest with the Governing Body, the Committee shall be responsible for the finances of the Institution and shall—

(a) see that accounts are maintained properly,

(b) prepare budget estimates in time,

(c) consider the audit report,

(d) check all bills,

(e) invite tenders,

(f) place work orders,

(g) scrutinise vouchers:

Provided that the Committee may delegate any of these powers to the Secretary or the Assistant Secretary to be exercised by him subject to the general control and supervision of the Committee.

(2) The accounts of the Institution shall be audited every year by an Auditor appointed by the Managing Committee from a panel approved by the State Government and the Governing Body.

(3) The Auditor's report shall be taken into consideration at the first ordinary meeting of the Committee held after the receipt of the report. Copies of the report shall thereafter be sent to the Education Department of the State Government, the Director of Public Instruction, West Bengal, and the West Bengal Board of Secondary Education, together with a note on the action taken thereon.

(4) The Government may call for an explanation of any irregularity disclosed by the Auditor's report and may give such directions as it may deem fit in the circumstances of the case.

19. *Duties of Secretary and Assistant Secretary*: (a) All correspondence for and on behalf of the Committee shall be carried on by the Secretary under the direction of the Committee. The Secretary shall keep a report of the proceedings of the Committee in a book maintained for the purpose.

(b) The Assistant Secretary shall perform such duties as may be assigned to her by the Committee and shall in the absence of the Secretary perform the duties of the Secretary.

20. *When President can convene a meeting*: In the temporary absence of the Secretary and the Assistant Secretary, the President may convene a meeting of the Committee.

21. *Documents*: (i) The Secretary of the School Committee, by virtue of her position as the Secretary of the Branch Managing Committee, shall be in charge of the invested funds, title deeds and other legal documents in respect of the properties acquired for the school and vesting in the Governing Body.

(ii) All books, records and registers relating to the institution may be made available for inspection by the members of the School Committee or any person authorised by the West Bengal Board of Secondary Education, the Education Directorate or the Education Department.

(iii) Unless otherwise directed by the Branch Managing Committee, the accounts of the Institution shall be operated jointly by the Secretary and the Assistant Secretary and all bank transactions shall be carried out over the signature of the Secretary.

22. *Powers of the School Committee*: (1) The School Committee shall have the power—

(a) to appoint teachers and other employees, both permanent and temporary, salaried or honorary, and for good and sufficient reasons to dismiss or otherwise terminate their services. Provided that in cases of appointments to posts salaries of which are paid wholly or partly out of Government grants, the rules laid down by the State Government in this respect shall be observed.

(b) to extend the services of a teacher or any employee beyond the date of his superannuation:

Provided that in case a teacher or any employee is not given an extension he may appeal to the Branch Managing Committee against the decision of the School Committee. The decision of the Branch Managing Committee shall be final in such cases.

(c) to grant leave other than casual leave which shall be granted by the Secretary of the Committee on the recommendation of the Headmistress or the Principal and increments in pay to teachers and other employees as per rules of the Board of Secondary Education.

(d) to grant free and half-free studentship and similar facilities to deserving students on the recommendation of the Headmistress or the Principal of the Institutions.

(e) to manage the funds of the Institution.

(f) to prepare an annual report.

(g) to deal with all schemes of development of the Institution and such other matter subject to the approval of the Branch Managing Committee.

(h) to prepare a list of holidays to be observed in the Institution.

(i) to grant deputation facilities to teachers where such deputation is in the interest of the Institution.

(j) to frame rules and regulations regarding attendance of teachers and employees, service rules for all the staff in conformity with Government rules.

(k) to realise fees and fines, etc., to fix rates for fees for both curricular and co-curricular activities and other purposes relating to the welfare of the students and the Institution as a whole.

(l) to select textbooks and introduce any additional courses of study that may be deemed necessary for the purpose of teaching the ideas and ideals of the Mission in order to fulfil the objectives for which the school is being run.

(m) to deal with all other matters in respect of which authority has been delegated to the Committee by the Managing Committee of the Mission Branch centre:

Provided that in the case of Institutions receiving financial assistance from the Government in any form the School Committees shall exercise their powers, in matters specified above, subject to any general or special orders of the State Government.

(2) *The School Committee to exercise powers subject to the direction of the State Government*: In matters specified below the School Committee shall exercise powers subject to the directions of the State Government:

(i) to determine the number of teachers and non-teaching employees in every aided institution;

(ii) to prescribe the scales of pay and allowances and qualifications for recruitment;

(iii) to prescribe the minimum rates of tuition fees;

(iv) to frame rules and regulations for payment of pension;

(v) to prescribe the age of retirement;

(vi) to fix the maximum number of students in the Institution and in each class.

23. *Appointment, confirmation, dismissal, appeal and termination*: (1) In all cases of appointments, permanent or temporary, the Committee shall issue letters of appointment specifying the terms and conditions governing such appointments. When a permanent appointment is made, the selected candidate shall be on probation for a specified period after which he or she may or may not be confirmed. If he/she is not confirmed he/she may then appeal to the Branch Managing Committee of the Mission, the decision of the Branch Managing Committee in that case being final. In the case of termination of service of an employee, on probation, the School Committee shall communicate its decision to the employee concerned at least six weeks before the expiry of the period of probation. If no such intimation is given the employee shall stand confirmed on the expiry of the period of probation.

(2) No permanent employee including members of the teaching staff shall be dismissed except after giving him an opportunity to defend himself/herself, and in such cases the teacher or the employee concerned may appeal to the Branch Managing Committee of the Mission against its decision. The decision of the Branch Managing Committee of the Mission shall be operative. But the Director of Public Instruction, West Bengal, shall have the right to call for all the relevant papers relating to an employee who is dismissed. And if the Director of Public Instruction, West Bengal, is not satisfied with the decision he may then advise the authorities concerned for reconsideration of the matter. The final decision shall, however, be with the Branch Managing Committee.

(3) The services of an employee who remains absent without leave or authority for a continuous period of more than ten days shall stand automatically terminated unless otherwise directed by the School Committee. This shall apply also in cases where an employee overstays the period of his/her sanctioned leave for more than five days without prior sanction.

(4) The services of a permanent employee may be terminated with three months' notice on either side or in lieu thereof three months' pay. Neither side need show any reason in such cases. For termination of services of a temporary employee, one month's notice or in lieu thereof one month's pay will be sufficient.

24. *Suspension*: The School Committee may suspend any employee—

(a) where a disciplinary proceeding against him/her is contemplated or pending; or

(b) where, on account of a criminal charge against him/her, an investigation is proceeding or he/she is undergoing trial in a court of law.

NOTE: During the period of suspension the employee concerned shall be paid pay and allowances equal to fifty per centum of the pay and allowances drawn by the employee immediately before such suspension:

Provided that where the period of suspension exceeds ninety days the amount of subsistence allowance shall be increased after the expiry of ninety days to seventy-five per centum of the pay and allowances drawn immediately before such suspension:

Provided further that an employee shall not be entitled to any subsistence allowance if he/she accepts employment during the period of suspension in any place other than the Institution where he/she had been working immediately before suspension.

25. *Age of superannuation and period of extension*: In the case of the members of the teaching staff and other employees the age of superannuation is 60. Extension may be given in deserving cases on a year to year basis up to the age of 65.

26. *Terms and conditions of grants-in-aid*: The School Committee shall strictly follow the terms and conditions subject to which the grants-in-aid are sanctioned and all grants shall be used exclusively for the purposes and objects for which they are given.

27. *Syllabus*: The Committee shall follow the syllabus prescribed by the Board of Secondary Education without prejudice to its right to impart instructions in additional subjects in keeping with the ideals, aims and objects of the Mission.

28. *Assets*: All assets of the Institution shall vest in the Governing Body of the Mission and if the Institution is closed down, no assets created partly or wholly out of Government grants shall be disposed of without the prior approval of the Government.

29. *Staff Council*: The Committee may, with the approval of the Branch Managing Committee, constitute, for a period not exceeding its own term of office, a Staff Council with the Headmistress or Principal as ex officio President and such number of members representing teachers, librarians and clerks as it may deem fit to consider all matters relating to the welfare of the Institution and make recommendations thereon for consideration by the School Committee.

30. *Academic Council*: (1) The Headmistress or Principal may constitute with the approval of the Branch Managing Committee an Academic Council which shall consist of the Headmistress or Principal, the Assistant Headmistress and not more than three teachers to be selected by her. In the case of a Multipurpose School, with more than one stream, there shall not be more than one teacher selected from a given stream.

(2) The Academic Council shall hold office for the duration of the term of office of the School Committee.

(3) The Academic Council may discuss matters connected with—

(a) admission of students,
(b) promotion,
(c) selection of textbooks,
(d) time-table,
(e) measures relating to the improvement of teaching and extracurricular activities.

(4) The Headmistress or the Principal shall take into consideration the advice tendered by the Council, but subject to the supervision and control of the School Committee, the authority to take a final decision in academic as well as other matters concerning the welfare of the students shall vest in the Headmistress or the Principal.

31. The School Committee may appoint such other Committee or Committees as may be authorised from time to time by the Governing Body.

32. These rules may be altered, revised or amended according to the exigencies of the circumstances subject to mutual agreement between the Mission and the Government.

THE SCHEDULE

Educational Institutions to which these rules shall apply.

(1) Sister Nivedita Girls' School (Baghbazar).

By order of the Governor,
B. N. CHATTERJEE,
Jt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 6155-FS/Con/FS/1L-30/72. — 5th April 1974.—The Governor has been pleased to grant, in terms of rule 168 of the West Bengal Service Rules, Part I, Shri Paresh Chandra Chakraborty, W.B.F. & S.S. (Retd.), ex-Special Officer (Rationing), Initial Area-II in the Directorate of Rationing under this Department, for thirty-eight days from 1st January 1974 to 7th February 1974 out of one hundred twenty days' leave preparatory to retirement being admissible under rule 169(a) of the West Bengal Service Rules, Part I, which was previously refused to Shri Chakraborty under this Department letter No. 9903-FS., dated the 19th August 1973.

By order of the Governor,

S. L. BOSE,

Jt. Secy. to the Govt. of West Bengal.

EDUCATION DEPARTMENT

(Colleges—Sponsored)

NOTIFICATION

No. 584-Edn(CS)/2L-3/74.—4th April 1974.—The Governor is pleased to sanction maternity leave for forty-two days for the period from the 1st February 1973 to the 14th March 1973 and earned leave for one day on 15th March 1973 to Sm. Manju Roy (nee Chakraborty), Lecturer, Bureau of Educational and Psychological Research, Calcutta, in the West Bengal Junior Educational Service, under rule 199 of the West Bengal Service Rules, Part I, and under rule 171 ibid.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

NOTIFICATION

No. 6285P.—30th July 1974.—In exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (Act 60 of 1952), the Governor is pleased hereby to make the following amendment in this Department notification No. 1069P, dated the 16th February 1974 published in the "Calcutta Gazette, Extraordinary", of the 16th February 1974, as subsequently amended (hereinafter referred to as the said notification), namely:

Amendment

In the said notification, for the words, figures and letters "by the 31st July, 1974" substitute the words, figures and letters" by the 31st August, 1974".

By order of the Governor,
S. B. MAJUMDAR,
Jt. Secy. to the Govt. of West Bengal.

DEPARTMENT OF PANCHAYATS

NOTIFICATION

No. 10875Panch.—25th July 1974.—Whereas by this Department notification No. 11678Panch, dated the 9th December 1971, published at page 2465 of Part I of the "Calcutta Gazette, Extraordinary", dated the 15th December 1971, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Badkulla Anchal Panchayat within Hanskhali Block, district Nadia, was superseded for a period of one year with effect from the 15th December 1971;

And whereas by this Department notification No. 14562Panch, dated the 27th November 1972, published at page 2264 of Part I of the "Calcutta Gazette, Extraordinary", dated the 29th November 1972, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 15th December 1972;

And whereas by this Department notification No. 8925Panch, dated the 11th June 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of one year with effect from the 15th June 1973;

And whereas the Governor considers it necessary to extend the said period of supersession for a further term of six months;

Now, therefore, in exercise of the power conferred by clause (i) of sub-section (3) of section 68 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Governor is pleased hereby to extend the said period of supersession of Badkulla Anchal Panchayat for a further term of six months with effect from the 15th June 1974.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

HOWRAH.—No. 15000LA.—31st July 1974.—Whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for provision of a Park including a Lake by the Howrah Improvement Trust, Howrah, in the village of Chakraberia, jurisdiction list No. 8, police-station Shibpore, district Howrah, it is hereby notified that for the above public purpose a piece of land comprising cadastral survey plot Nos. 1, 2, 3, 4, 5, 6, and 101 in full and measuring, more or less, 1.49 acres (0.60 hectare) is likely to be needed within the aforesaid village of Chakraberia for the aforesaid public purpose at the expense of Howrah Improvement Trust.

This notification is made, under the provision of section 4 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Howrah Improvement Trust, Howrah.

In exercise of the power conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Whereas the Governor is satisfied that the land detailed above is urgently needed for the aforesaid public purpose, the Governor in exercise of the powers conferred by sub-section (4) of section 17 of the Land Acquisition Act, I of 1894, is pleased to direct that the provisions of section 5A of the Act shall not apply to the said land which is entirely waste and arrable and in which, in the opinion of the Governor, the provisions of sub-section (1) of section 17 of the said Act are applicable.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4197MIM-120/73.—30th July 1974.—Whereas Government in their notification No. 2789/MIM-120/73, dated the 14th August 1973, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Balurghat Municipality in the district of West Dinajpur shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas in notification No. 105/MIM-120/73 dated the 18th January 1974, the said period of appointment was extended up to the 15th July 1974

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Paritosh Bondopadhya, W.B.C.S., Deputy Magistrate and Deputy Collector, Balurghat, in addition to his own duties, shall continue as Executive Officer, Balurghat Municipality, during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government notification No. 2789/MIM-120/73, dated the 14th August 1973.

By order of the Governor,
T. N. DE,
Asstt. Secy to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATIONS

No. 4485-F.T.—22nd July 1974.—In pursuance of the provisions of sub-section (2) of section 1 of the West Bengal Taxation Laws (Second Amendment) Act, 1974 (West Ben. Act XXXI of 1974), the Governor is pleased hereby to appoint the 1st day of August 1974, as the date on which the said Act shall come into force.

By order of the Governor,
K. BANERJEE,
Dy. Secy. to the Govt. of West Bengal.

No. 4488-F.T.—22nd July 1974.—In exercies of the power conferred by section 22 of the Bengal Raw Jute Taxation Act, 1941 (Ben. Act XI of 1941), the Governor is pleased to make, with effect from the 1st August 1974, after previous publication as required by sub-section (1) of the said section, the following amendments in the Bengal Jute Tax Rules, 1941, as subsequently amended (hereinafter referred to as the said rules), namely:—

Amendments

In the said rules,—

(1) for clause (aa) of sub-rule (2) of rule 1, substitute the following clause, namely:—

"(aa) "appropriate Jute Tax Officer" in respect of any particular occupier or shipper, as the case may be, having its head office or sole office in West Bengal situated in Calcutta or in any of the districts of Howrah, Hooghly and 24-Parganas means the Commercial Tax Officer, Central Section, referred to in notification No. 13-F.T., dated 23rd August 1947, who is also a Jute Tax Officer under notification No. 137-J., dated 27th February 1942 and in other cases the Jute Tax Officer within whose jurisdiction the head office or sole office in West Bengal of such occupier or shipper, as the case may be, is situated.";

(2) in rule 10A, after the words "that of another", insert the words "or if for any other reason the jurisdiction is changed from one Jute Tax Officer to that of another".

By order of the Governor,
K. BANERJEE,
Dy. Secy. to the Govt. of West Bengal.

No. 4486-F.T.—22nd July 1974.—In exercise of the power conferred by clause (c) of section 2 of the West Bengal Taxes on Entry of Goods in Local Areas Act, 1962 (West Ben. Act XX of 1962) as subsequently amended (hereinafter called the said Act), the Governor is pleased hereby to notify for the purposes of the said clause, in respect of the taxable goods specified in column 1 of the table below, the places mentioned in column 2 of the said table, being places situate in the local areas specified in the entries under column 2 of the Schedule to the said Act corresponding to such taxable goods:

Table

1	2
Taxable goods	*Places*
Jute, that is to say, the fibre extracted from plants belonging to the species *Corchorus Capsularis* and Corchorus *olitorius* and fibre known as *mesta* or *himli* extracted from plants of the species *Hibiscus Cannabinus* and *Hibiscus Sabdariffavar-altissima* and the fibre known as *Sunn* or *Sunnhemp* extracted from plants of the species *Crotalaria juncea* whether baled or otherwise.	(1) All railway stations including halt and flag stations, all sidings including plots served as sidings, all city booking and parcel offices, all goods (including street delivery goods) sheds or yards and all parcels (including street delivery parcel) sheds or yards or offices of the Eastern Railways, South-Eastern Railways, Howrah-Amta Light Railways and Howrah-Seakhala Light Railways. (2) All Docks, Jetties, Tea Warehouses, Kantapukur, Inland Vessel Wharves, Railway Sidings, sheds, and godowns under the control of the Commissioners for the Port of Calcutta. (3) Calcutta Air Port at Dum Dum within the police-station of Dum Dum, district 24-Parganas. (4) All post offices including sub-post offices wherefrom postal parcels are delivered.

By order of the Governor,

K. BANERJEE,

Dy. Secy. to the Govt. of West Bengal.

No. 4487-F.T.—22nd July 1974.—In exercise of the power conferred by sub-section (3) of section 4 of the West Bengal Taxes on Entry of Goods in Local Areas Act, 1962, (West Ben. Act XX of 1962), as subsequently amended, the Governor is pleased hereby to notify in respect of the taxable goods specified in Column 1 of the table below the quantities specified in the corresponding entry in Column 2 of the said Table for the purpose of the said sub-section:

Table

1	2
Taxable goods	*Quantity*
1. Jute, that is to say, the fibre extracted from plants belonging to the species *Corchorus capsularis* and *Corchorus Olitorius* and the fibre known as *mesta* or *himli* extracted from plants of the species *Hibiscus cannabinus* and *Hibiscus Sabdariffavar-altissima* and the fibre known as *Sunn* or *Sunnhemp* extracted from plants of the species *Crotalaria juncea* whether baled or otherwise	2 Kgs.

By order of the Governor,

K. BANERJEE,

Dy. Secy. to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

LEGISLATIVE DEPARTMENT

The following Act of Parliament received the assent of the President on the 31st May 1974, and is hereby published for general information:

THE ADDITIONAL DUTIES OF EXCISE (GOODS OF SPECIAL IMPORTANCE) AMENDMENT ACT, 1974

No. 22 of 1974

[31st May, 1974.]

An Act further to amend the Additional Duties of Excise (Goods of Special Importance) Act, 1957.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Additional duties of Excise (Goods of Special Importance) Amendment Act, 1974.

(*2*) It shall be deemed to have come into force on the 1st day of April, 1974.

Amendment of long title.

2. In the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (hereinafter referred to as the principal Act), in the long title, for the figures, letters and words "31st day of July, 1969", the figures, letters and words "28th day of October, 1973" shall be substituted.

58 of 1957.

Amendment of section 6.

3. In sub-section (2) of section 6 of the principal Act, for the words "or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

Amendment of Second Schedule.

4. In the Second Schedule to the principal Act, for paragraph 2, the following paragraph shall be substituted, namely:—

"2. During each of the financial years commencing on and after the 1st day of April, 1974, there shall be paid to each of the States specified in column 1 of the Table below such percentage of the net proceeds, after deducting therefrom a sum equal to 1.41 per cent. of the said proceeds as being attributable to Union territories, as is set out against it in column 2:

Provided that if during that financial year there is levied and collected in any State a tax on the sale or purchase of sugar, tobacco, cotton fabrics, woollen fabrics, rayon or artificial silk fabrics or one or more of them by or under any law of that State, no sums shall be payable to that State under this paragraph in respect of that financial year, unless the Central Government by special order otherwise directs.

TABLE

	State 1	Percentage of distribution 2
1	Andhra Pradesh	8·39
2	Assam	2·47
3	Bihar	9·36
4	Gujarat	5·9
5	Haryana	1·94
6	Himachal Pradesh	0·59
7	Jammu and Kashmir	0·73
8	Karnataka	5·62
9	Kerala	3·58
10	Madhya Pradesh	6·98
11	Maharashtra	11·65
12	Manipur	0·17
13	Meghalaya	0·17
14	Nagaland	0·08
15	Orissa	3·59
16	Punjab	2·68
17	Rajasthan	4·17
18	Tamil Nadu	7·27
19	Tripura	0·25
20	Uttar Pradesh	16·10
21	West Bengal	8·30"

K. K. SUNDARAM,
Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF POWER

ORDERS

No. 3871-Power. — 31st July 1974. — In exercise of the power conferred by section 22B of the Indian Electricity Act, 1910 (9 of 1910), the Governor is pleased hereby to make the following amendment in the West Bengal State Electricity (Maintenance of Supply) Order, 1972, published with this Department Order No. 6951-Power, dated the 30th December 1972, at pages 17 to 23 of Part I, of the "Calcutta Gazette, Extraordinary" of the 2nd January 1973, as subsequently amended (hereinafter referred to as the said order), namely:

Amendment

In the said order, in sub-paragraph (3) of paragraph 1, for the words and figures "till the 31st July, 1974" substitute the words and figures "till the 31st August 1974."

By order of the Governor,
S. DUTTA,
Dy. Secy. to the Govt. of West Bengal.

No. 3872-Power. — 31st July 1974. In exercise of the power conferred by section 22B of the Indian Electricity Act, 1910 (9 of 1910), the Governor is pleased hereby to make the following amendment in the West Bengal State Electricity (Maintenance of Supply) Order, 1972, published with this Department Order No. 6950-Power, dated the 30th December 1972, at pages 4 to 17 of Part I, of the "Calcutta Gazette, Extraordinary" of the 2nd January 1973, as subsequently amended (hereinafter referred to as the said order), namely:

Amendment

In the said order, in sub-paragraph (3) of paragraph 1, for the words and figures "till the 31st July, 1974" substitute the words and figures "till the 31st August 1974."

By order of the Governor,
S. DUTTA,
Dy. Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Reforms

NOTIFICATION

No. 14422/L.Ref. — 25th July 1974. In exercise of the power conferred by section 42 of the West Bengal Premises Tenancy Act, 1956 (West Ben. Act XII of 1956), the Governor is pleased to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the West Bengal Premises Tenancy Rules, 1956, published with this Department notification No. 11488/L.Ref., dated the 28th June 1956, in the

"Calcutta Gazette, Extraordinary" of the 28th June 1956, as subsequently amended (hereinafter referred to as the said Rules), namely: —

Amendment

In the said Rules— —

(1) in rule 18, for the words "rupee on and paise fifty" substitute the words "rupee one and paise eighty";

(2) in rule 19, for the words "rupee one and paise fifty" substitute the words, "rupee one and paise eighty";

(3) in rule 20, for the words "rupee one and paise fifty" substitute the words "rupee one and paise eighty"; and

(4) in rule 24, for the words "rupee one and paise fifty" substitute the words "rupee one and paise eighty";

By order of the Governor,
J. N. MOOKHERJEE,
Spl. Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 4231/MIM-86/72. — 31st July 1974. — Whereas Government in their notification No. 3023/MIM-36/72, dated the 15th June 1972, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Serampore Municipality in the district of Hooghly should have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in notification No. 1972/MIM-86/72, dated the 9th June 1973 and No. 6016/MIM-86/72, dated the 13th December 1973, the said period of appointment was extended up to the 15th July 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Sita Nath Banik, Deputy Magistrate and Deputy Collector, Serampore, in addition to his own duties, shall continue as Executive Officer, Serampore Municipality, during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government notification No. 1752/MIM-86/72, dated the 16th May 1973.

By order of the Governor,
T. N. De,
Asst. Secy. to the Govt. of West Bengal.

No. 4237/M2A-51/72(Pt. III). — 31st July 1974. — In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of notification No. 4157/MIM-1.0/74, dated the 25th July 1974, the Governor is pleased to appoint Shri Kanakendra Mohan Roy, W.B.J.C.S. (retd.), to be the Executive Officer of the Raniganj Municipality in the district of Burdwan with effect from the date he takes over charge of the Raniganj Municipality from Shri Dilip Kumar Roy Chowdhury, Special Officer, Grade II, and Executive Officer, Raniganj Municipality, and to confer and impose upon him the same powers and duties of the Chairman and the Commissioners of the Raniganj Municipality as were conferred and imposed upon the Executive Officer of the Raniganj Municipality in notification No. 4157/MIM-100/74, dated the 25th July 1974.

By order of the Governor,
T. N. DE,
Asst. Secy. to the Govt. of West Bengal.

No 4239/M2A-51/72(Pt. III). 31st July 1974. — In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of notification No. 3305/MIM-60/72 (Pt. III), dated the 10th July 1974, the Governor is pleased to appoint Shri J. M. Das Biswas, W.B.C.S., Judicial Magistrate (retd.), to be the Executive Officer of the Bhatpara Municipality in the district of 24-Parganas with effect from the date he takes over charge of the Bhatpara Municipality from Shri Anil Kumar Ghosh, Special Officer, Grade I, Executive Officer, Bhatpara Municipality, and to confer and impose upon him the same powers and duties of the Chairman and the Commissioners of the Bhatpara Municipality as were conferred and imposed upon the Executive Officer of the said Municipality in notification No. 4501/MIM-60/72, dated the 30th September 1972.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

FINANCE DEPARTMENT

Taxation

NOTIFICATIONS

No. 4614/F.T. — 31st July 1974. — In exercise of the power conferred by sub-rule (2) of rule 3 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297/F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor has been pleased hereby to determine the number of series and number of tickets to be put up for sale for the 32nd Draw of the West Bengal State Lottery in the following manner:

Number of series: Tickets shall be issued in three separate series and shall be distinguished by distinct alphabetical notation, viz., A, B and C.

Number of tickets to be put up for sale: The series shall consist of 999999 tickets and shall be numbered consecutively between 000001 to 999999.

By order of the Governor,
S. GHOSH,
Asst. Secy. to the Govt. of Wes tBengal.

No. 4615/F.T. — 31st July 1974. — In exercise of the power conferred by sub-rule (4) of rule 7 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to specify that tickets shall be sold in books containing fifty tickets each except for the last book which will contain only forty-nine tickets for the 32nd Draw of the West Bengal State Lottery.

By order of the Governor,
S. GHOSH,
Asstt. Secy. to the Govt. of West Bengal.

No. 4616/F.T. — 31st July 1974. — In exercise of the power conferred by sub-rule (1) of rule 8 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to determine the commission structure to be allowed on the tickets to be sold for the 32nd Draw of the West Bengal State Lottery in the following manner:

Commission for purchase of tickets below 5,000	.. 20 per cent.
Commission for purchase of 5,000 tickets and above	.. 22½ per cent.

By order of the Governor.
S GHOSH,
Asstt. Secy. to the Govt. of West Bengal.

No. 4617/F.T. — 31st July 1974. — In exercise of the power conferred by rule 16A of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297/F/F-4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to determine the procedure for the interim draw to be held on 10th August 1974 in connection with the 32nd Draw of the West Bengal State Lottery in the following manner, namely:

Last four digits will be drawn and all tickets bearing those last four digits in that particulars series will win gifts of Rs. 100 each.

Also last five digits will be drawn and all tickets bearing those last five digits in that particular series will win gifts of Rr. 1,000 each.

By order of the Governor.
S GHOSH,
Asstt. Secy. to the Govt. of West Bengal.

No. 4618/F.T. — 31st July 1974. — In exercise of the power conferred by rule 20 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to specify that the claims for both interim and final draws of the 32nd West Bengal State Lottery should be lodged before the Director, State Lotteries, West Bengal, within thirty days from the date of the respective draws excluding the date of draw.

By order of the Governor,
S. GHOSH,
Asst. Secy. to the Govt. of West Bengal.

No. 4619/F.T. — 31st July 1974. — In exercise of the power conferred by sub-rule (2) of rule 3 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to determine the number of series and number of tickets to be put up for sale for the 33rd Draw of the West Bengal State Lottery in the following manner:

Number of series. Tickets shall be issued in three separate series and shall be distinguished by distinct alphabetical notation, viz., X, Y and Z.

Number of tickets to be put up for sale: The series shall consist of 999999 tickets and shall be numbered consecutively between 000001 to 999999.

By order of the Governor,
S. GHOSH,
Asst. Secy. to the Govt. of West Bengal.

No. 4620/F/T. — 31st July 1974. — In exercise of the power conferred by sub-rule (4) of rule 7 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to specify that tickets shall be sold in books containing fifty tickets each except for the last book which will contain only forty-nine tickets for the 33rd Draw of the West Bengal State Lottery.

By order of the Governor,
S. GHOSH,
Asst. Secy. to the Govt. of West Bengal.

No. 4621/F.T.—31st July 1974.—In exercise of the power conferred by sub-rule (1) of rule 8 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297/F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to determine the commission structure to

be allowed on the tickets to be sold for the 33rd Draw of the West Bengal State Ltotery in the following manner:

Commission for purchase of tickets below 5,000	20 per cent
Commission for purchase of 5,000 tickets and above ..	22½ per cent.

By order of the Governor,
S. GHOSH,
Asst. Secy. to the Govt. of West Bengal.

No. 4622/F.T.—31st July 1974.—In exercise of the power conferred by rule 16A of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to determine the procedure for the interim draw to be held on 14th September 1974, in connection with the 33rd Draw of the West Bengal State Lottery in the following manner, namely:

Last four digits will be drawn and all tickets bearing those last four digits in that particulars series will win gifts of Rs. 100 each.

Also last five digits will be drawn and all tickets bearing those last five digits in that particular series will win gifts of Rs. 1,000 each.

By order of the Governor,
S. GHOSH,
Asst. Secy. to the Govt. of West Bengal.

No. 4623/F.T.—31st July 1974.—In exercise of the power conferred by rule 20 of the West Bengal State Lottery Rules, 1968, published with Finance (Audit) Department notification No. 297F/F/4L-19/68, dated the 18th January 1969, as subsequently amended, the Governor is pleased hereby to specify that the claims for both interim and final draws of the 33rd West Bengal State Lottery should be lodged before the Director, State Lotteries, West Bengal, within thirty days from the date of the respective draws excluding the date of draw.

By order of the Governor,
S. GHOSH,
Asst. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

S. S.

NOTIFICATION

No. 1947-1/SS/1R-1/73.—30th July 1974.—In pursuance of the provisions of sub-rule (3) of rule 1 of the West Bengal Employees' State Insurance (Medical Benefit) Rules, 1974, the Governor is pleased to appoint the 1st day of August, 1974, as the date on which the said rules shall come into operation in the following areas of West Bengal, namely, the districts of—

(a) 24-Parganas,

(b) Hooghly,

(c) Howrah,

(d) Kalyani Notified Area in the district of Nadia, and

(e) Calcutta.

By order of the Governor,
J. V. R. PRASADA RAO,
Dy. Secy. to the Govt. of West Bengal.

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PART V —Acts of the Parliament of India assented to by the President and Acts enacted and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

LEGISLATIVE DEPARTMENT

The following Act of Parliament received the assent of the President on the 31st May, 1974 and is hereby published for general information:—

THE UNION DUTIES OF EXCISE (DISTRIBUTION) AMENDMENT ACT, 1974

No. 23 OF 1974

[31st May, 1974.]

An Act further to amend the Union Duties of Excise (Distribution) Act, 1962.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Union Duties of Excise (Distribution) Amendment Act, 1974.

Amendment of long title.

2. In the long title of the Union Duties of Excise (Distribution) Act, 1962 (hereinafter referred to as the principal Act), for the words, figures and letters "dated the 31st day of July, 1969", the words, figures and letters "dated the 28th day of October, 1973" shall be substituted. 3 of 62.

Amendment of section 2.

3. In section 2 of the principal Act, for the words and figures "financial years 1972-73 and 1973-74, twenty per cent. of the special duties of excise levied and collected under the Finance Acts of the respective years", the words and figures "financial years 1976-77, 1977-78 and 1978-79, twenty per cent. of the auxiliary duties of excise levied and collected under the Finance Acts of the respective years" shall be substituted.

Substitution of new section for section 3.

4. For section 3 of the principal Act, the following section shall be substituted, namely:—

Distribution of a part of Union duties of excise among the States

"3. During each financial year commencing on and after the 1st day of April, 1974, there shall be paid out of the Consolidated Fund of India to each of the States specified in column 1 of the Table below such percentage of the distributable Union duties of excise as is set out against it in column 2:—

Table

State	Percentage
1	2
Andhra Pradesh	8·16
Assam	2·71
Bihar	11·47
Gujarat	4·57
Haryana	1·53
Himachal Pradesh..	0·63
Jammu and Kashmir	0·90
Karnataka	5·45
Kerala	3·86
Madhya Pradesh	8·51
Maharashtra	8·58
Manipur	0·21
Meghalaya	0·19
Nagaland	0·11
Orissa	4·06
Punjab	1·87
Rajasthan	5·00
Tamil Nadu	7·43
Tripura	0·30
Uttar Pradesh	17·03
West Bengal	7·79

Amendment of section 5.

5. In sub-section (2) of section 5 of the principal Act, for the words "or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

K. K. SUNDARAM,
Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4575-F.T.—27th July 1974.—In terms of rule 15 of the West Bengal State Lottery Rules, 1968, Governor is pleased to publish the results of the interim draw of the 31st West Bengal State Lottery held on July 13, 1974, at the Office of the Directorate of State Lotteries, 69 Ganesh Chandra Avenue, Calcutta-13:

West Bengal State Lottery

Results of the interim draw of the 31st West Bengal State Lottery held on July 13, 1974, at the Office of the Directorate of State Lotteries, 69 Ganesh Chandra Avenue, Calcutta-13.

Category of Prizes	Total No. of Prizes	Value in Rupees	Prize winning ticket number
Gift ..	Up to 30 (Ten in each entire authorised series)	Rs. 1,000 each ..	(1) All tickets ending with 20402 as last five digits in X Series. (2) All tickets ending with 05876 as last five digits in Y Series. (3) All tickets ending with 10664 as last five digits in Z Series.
Gift ..	Up to 300 (100 in each entire authorised series)	Rs. 100 each ..	(1) All tickets ending with 1478 as last four digits in X Series. (2) All tickets ending with 8074 as last four digits in Y Series. (3) All tickets ending with 7686 as last four digits in Z Series.
Sellers' Prize ..	Up to 30 (Ten in each entire authorised series)	Rs. 50 each ..	(1) All counterfoils of tickets bearing 20402 as last five digits in X Series. (2) All counterfoils of tickets bearing 05876 as last five digits in Y Series. (3) All counterfoils of tickets bearing 10664 as last five digits in Z Series.
Sellers' Prize ..	Up to 300 (100 in each entire authorised series)	Rs. 50 each ..	(1) All counterfoils of tickets bearing 1478 as last four digits in X Series. (2) All counterfoils of tickets bearing 8074 as last four digits in Y Series.
Sellers, Prize ..	Up to 300 (100 in each entire authorised series)	Rs. 100 each ..	(1) All counterfoils of tickets bearing 7686 as last four digits in Z Series.

By order of the Governor,
A. K. CHATTERJEE,
Jt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 4250/MIM-95/74.—2nd August 1974.—Whereas Government in their Order No. 2654/M3P-83/72, dated 30th July 1973, published at pages 2349-2350 of the "Calcutta Gazette, Extraordinary", dated the 30th July 1973, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), superseding the Commissioners of the Arambagh Municipality in the district of Hooghly for a period of one year with effect from the 1st August 1973;

And whereas in the opinion of the Governor the extension of the said period of supersession for a further term is necessary;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is hereby pleased to extend further the term of supersession of the Commissioners of the Arambagh Municipality for the period up to the 31st March 1975.

2. In exercise of the powers conferred by clause (bb) of sub-section (1) of section 554 of the said Act, and the first proviso to the said clause, the Governor is further pleased hereby to direct that the powers and duties referred to in the said clause shall, for this extended period of supersession of

the Commissioners of the Arambagh Municipality, be exercised and performed by Shri A. K. Sengupta, Deputy Magistrate and Deputy Collector, Arambagh, with effect from the date he takes over charge of Arambagh Municipality from Shri S. K. Dutta, S.D.O., Arambagh, in addition to his own duties, until further orders.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

IRRIGATION AND WATERWAYS DEPARTMENT

NOTIFICATIONS

No. 9-I.—5th August 1974.—Whereas the Governor is of opinion that lands in the area included within the boundaries specified in Part II of the Schedule below (hereinafter referred to as the said area) have been benefited or are likely to be benefited by irrigation during the kharif season by the water supplied from the irrigation work, namely, the Suvankar Danra Scheme, in the district of Bankura, the full description whereof is stated in Part I of the Schedule below;

And whereas an Ordinance, namely, the West Bengal Irrigation (Imposition of Water Rate) Ordinance, 1974 (West Ben. Ord. No. VII of 1974) (hereinafter referred to as the said Ordinance) providing for a simplified procedure for imposition, assessment and collection of water rates in respect of lands benefited or likely to be benefited by irrigation during different cultivation seasons by water supplied from any irrigation work has since been promulgated by the Governor;

Now, therefore, in exercise of the power conferred by section 4 read with sub-section (1) of section 5 of the said Ordinance, and in supersession of all orders made under the Bengal Irrigation Act, 1876 (Ben. Act III of 1876), determining the rates to be charged for canal water supplied for purposes of irrigation of any land in the said area, the Governor is pleased hereby to declare its intention to impose with effect from 1st day of July 1974 in the said area a water rate for kharif season every year.

Any person interested in any land likely to be affected by such imposition of the water rate may, within a period of thirty days from the date of publication of this notification in the "Calcutta Gazette", prefer objection to the State Government against the intended imposition of the water rate or inclusion of such land in the said area.

The Schedule

PART I

Description of the irrigation work

The canal system of a total existing length of 9 miles 3,450 ft. and proposed length of 3 miles 960 ft. consisting of—

(A) One mile 4,720 ft. of Feeder Canal, off-taking from the supply sluice of Kanjore Dam, in mauza Mahidhara, jurisdiction list No. 91, Barjora police-station of district Bankura up to its outfall at chainage 100.00 in Mauza Dewangarya, jurisdiction list No. 81, Barjora police-station of the same district—

(i) A distributary Number Six Annas Danra off-taking from chainage 50.30 of Feeder Canal in Mauza Arjuni, jurisdiction

list No. 89, Barjora police-station of district Bankura of 4 miles 330 ft. length ending in Mauza Birsingpur, jurisdiction list No. 47, Sonamukhi police-station of the same district.

(ii) A distributary Number Ten Annas Danra off-taking from tail of Feeder Canal in Mauza Dewangarya, jurisdiction list No. 81, Barjora police-station of district Bankura of 3 miles 680 ft. length ending in Mauza Suratpur, jurisdiction list No. 65, Barjora police-station of the same district.

(B) A water course off-taking from Kanjore Dam in Mauza Mahidhara, jurisdiction list No. 91, Barjora police-station of district Bankura of length 3,000 ft. ending in Mauza Nunigorya, jurisdiction list No. 84, Barjora police-station of the same district.

(C) A water course (proposed) off-taking from Kanjore Dam in Mauza Belia Narayanpur, jurisdiction list No. 104, Barjora police-station of Bankura district of length 3 miles 960 ft. ending in Mauza Kabirbundh, jurisdiction list No. 37, Barjora police-station of the same district.

PART II

Boundaries of the area

Starting from a point in Mauza Rajprasadpur, jurisdiction list No. 72, Barjora police-station of district Bankura, wherefrom the west boundary line of the declared area, under Bengal Irrigation Act, vide Notification No. 32-I of the 17th September 1951, published at page 2561 of "Calcutta Gazette", dated 27th September 1951, follows the right bank of Diversion Channel and also the feeder canal and crosses the Ten Annas Aanra and Six Annas Danra in Mauza Dewangarya, jurisdiction list No. 81 and in Mauza Arjuni, jurisdiction list No. 89 respectively in Barjora police-station of district Bankura and goes down towards south and meets the Sali river in Mauza Muktapur, jurisdiction list No. 184, Sonamukhi police-station of district Bankura, wherefrom it turns towards down stream of Sali river along its left bank for a length of 3 miles 660 ft. and then it goes towards east and up to Mauza Joypur, jurisdiction list No. 45, Sonamukhi police-station of the same district forming the south boundary line of the said declared area. It then turns towards north forming the east boundary line of the said declared area and meets the north-east corner in Mauza Suratpur, jurisdiction list No. 65, Barjora police-station, of the north boundary line of the said declared area. Thereafter it turns towards north-west and forms the north boundary of the abovementioned declared area to meet the starting point. The whole area is within police-stations Barjora and Sonamukhi of the district Bankura.

By order of the Governor,
S. K. MOITRA,
Dy. Secy. to the Govt. of West Bengal.

No. 10-I.—5th August 1974. — Whereas the Governor is of opinion that lands in the area included within the boundaries specified in Part II of the Schedule below (hereinafter referred to as the said area), have been benefited or are likely to be benefited by irrigation during the kharif season by the water supplied from the irrigation work, namely the Karatowa Irrigation Scheme in the district of Jalpaiguri, the full description whereof is stated in Part I of the Schedule below;

And whereas an Ordinance, namely, the West Bengal Irrigation (Imposition of Water Rate) Ordinance, 1974 (West Ben. Ord. No. VII of 1974) (hereinafter referred to as the said Ordinance), providing for a simplified procedure for imposition, assessment and collection of water rates in respect of lands benefited or likely to be benefited by irrigation during different cultivation seasons by water supplied from any irrigation work has since been promulgated by the Governor;

Now, therefore, in exercise of the power conferred by section 4 read with sub-section (1) of section 5 of the said Ordinance, and in supersession of all orders made under the Bengal Irrigation Act, 1876 (Ben. Act III of 1876), determining the rates to be charged for canal water supplied for purposes of irrigation of any land in the said area, the Governor is pleased hereby to declare its intention to impose with effect from 1st day of July 1974 in the said area a water rate for kharif season every year.

Any person interested in any land likely to be affected by such imposition of the water rate may, within a period of thirty days from the date of publication of this notification in the "Calcutta Gazette", prefer objection to the State Government against the intended imposition of the water rate or inclusion of such land in the said area.

The Schedule

PART I

Description of the irrigation work

The canal system of a total length of 43 miles 1,360 ft. containing the following:

(A) Ten miles 300 ft. of Left Bank Main Canal (hereinafter described as Left Bank Main Canal) from the off-take at Karatowa Barrage on the left bank of river Karatowa from up-stream of Barrage at Mauza Kamarvita (jurisdiction list No. 17), police-station Rajganj, district Jalpaiguri, ending in mauza Sukani (jurisdiction list No. 28) under police-station Rajganj of district Jalpaiguri.

(a) A distributary (hereafter described as Distributary No. 1 of Left Bank Main Canal) from chainage 77.00 of Left Bank Main Canal in Mauza Kamarvita (jurisdiction list No. 17), police-station Rajganj, district Jalpaiguri, of 1 mile 3,220 ft. length ending in Mauza Mehendigach (jurisdiction list No. 22) under same police-station and in the same district.

(b) A distributary (hereafter described as Distributary No. 2 of Left Bank Main Canal) from chainage 77.00 of Left Bank Main Canal in Mauza Kamarvita, Jurisdiction list No. 17 in police-station Rajganj, district Jalpaiguri, of 11 miles 1,120 ft. length ending in Mauza

Sukani, jurisdiction list No. 28 in the same police-station and the same district.

(i) A Minor (hereafter described as minor No. 1 of Distributary No. 2 of Left Bank Main Canal) from chainage 55.00 of Distributary No. 2 of Left Bank Main Canal in Mauza Panikouri, jurisdiction list No. 15 in police-station Rajganj, district Jalpaiguri, of 5,200 ft. in length ending in Mauza Panikouri, jurisdiction list No. 15 of the same police-station and the same district.

(ii) A Minor (hereafter described as Minor No. 2 of Distributary No. 2 of Left Bank Main Canal) from chainage 150 of Distributary No. 2 of Left Bank Main Canal in Mauza Shikarpur, jurisdiction list No. 7 in police-station Rajganj, district Jalpaiguri, of length 4,000 ft. ending in Mauza Shikarpur, jurisdiction list No. 7 of the same police-station and in same district.

(iii) A Minor (hereafter described as Minor No. 3 of Distributary No. 2 of Left Bank Main Canal) from chainage 420 of Distributary No. 2 of Left Bank Main Canal in Mauza Sukani, jurisdiction list No. 28 in police-station Rajganj, district Jalpaiguri, of length 2 miles 540 ft. ending in Mauza Sukani, jurisdiction list No. 28 of the same police-station and in the same district.

(c) A Distributary (hereafter described as Distributary No. 3 of Left Bank Main Canal) from chainage 148.00 of Left Bank Main Canal in Mauza Panikouri, jurisdiction list No. 15, police-station Rajganj, district Jalpaiguri, of length 3 miles 3,160 ft. ending in Mauza Chant Gujriman, jurisdiction list No. 9 in the same police-station and same district.

(d) A Distributary (hereafter described as Distributary No. 3A of Left Bank Main Canal) from chainage 148.00 of Left Bank Main Canal in Mauza Panikouri, jurisdiction list No. 15, police-station Rajganj, district Jalpaiguri, of length 4,000 ft. ending in Mauza Mehendigach, jurisdiction list No. 22 in the same police-station and same district.

(e) A Distributary (hereafter described as Distributary No. 4 of Left Bank Main Canal) from chainage 388.00 of Left Bank Main Canal in Mauza Sukani, jurisdiction list No. 28, police-station Rajganj, district Jalpaiguri, of length of 1 mile 920 ft. ending in Mauza Sukani, jurisdiction list No. 28 of the same police-station and same district.

(B) Five miles 3,600 ft. of Right Bank Main Canal (hereafter described as Right Bank Main Canal) from the off-take at Karatowa Barrage on the right bank of river Karatowa up-stream of the same Barrage at Mauza Kamarvita, (jurisdiction list No. 17) in police-station Rajganj, district Jalpaiguri, ending in Mauza Sannasikata, jurisdiction list No. 26, in the same police-station and the same district.

(a) One Distributary (hereafter described as Distributary No. 1 of Right Bank Main Canal) from chainage 65 of Right Bank Main Canal in Mauza Gadheganja, jurisdiction list No. 18, police-station Rajganj, district Jalpaiguri, of 3 miles 760 ft. length ending in Mauza Badlagachh, jurisdiction list No. 20 in the same police-station and same district.

(b) One Distributary (hereafter described as Distributary No. 2 of Right Bank Main Canal) from chainage 114.00 of Right Bank Main Canal in Mauza Gadheaganja, jurisdiction list No. 18 in police-station Raiganj, district Jalpaiguri, of 2 miles 940 ft. length ending in Mauza Patharghata, jurisdiction list No. 21 in the same police-station and same district.

PART II

Boundaries of the area

Starting from the Barrage in the river Karatowa at Mauza Kamarvita (jurisdiction list No. 17), police-station Rajganj, district Jalpaiguri, at about 4,000 ft. down-stream of the Siliguri-Haldibari Railway Line crossing of the river Karatowa, the boundary line goes eastward up to the river Talma at northern boundary of Mauza Panikouri (jurisdiction list No. 15) of the same police-station through the Mauza Kamarvita (jurisdiction list No. 17) and Panikouri (jurisdiction list No. 15) of same police-station and then turns down-stream of the river Talma along the right bank up to southern boundary of Mauza Sukani (jurisdiction list No. 28) of same police-station and then turns westward up to the river Karatowa at Mauza Sukani (jurisdiction list No. 28) of same police-station through mauza Sukani (jurisdiction list No. 28) of same police-station and then turns up-stream of the river Karatowa along its left bank and then turns west up to river Sahu at Rajganj Gadra Road crossing along the abovementioned road and then turns up-stream of the river Sahu along its left bank up to Siliguri-Jalpaiguri State Highway crossing at Mauza Jugibhita (jurisdiction list No. 19) of same police-station and then turns towards northeast meeting the Barrage in the river Karatowa at Mauza Kamarvita (jurisdiction list No. 17) passing through Mauzas Jugibhita (jurisdiction list No. 19) and Gadheaganja (jurisdiction list No. 18) and Kamarvita (jurisdiction list No. 17) of police-station Rajganj.

By order of the Governor,

S. K. MOITRA,

Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4705-F.T.—6th August 1974.—In exercise of the power conferred by section 26 of the Bengal Finance (Sales Tax) Act, 1941 (Ben. Act VI of 1941), the Governor is pleased hereby to make the following amendment in the Bengal Sales Tax Rules, 1941, as subsequently amended (hereinafter referred to as the said rules), namely:—

Amendment

In the said rules, after clause (61) of rule 3, the following clause shall be inserted and shall always be deemed to have been inserted, namely:—

"(62) Sales of methylated spirit and rectified spirit.".

By order of the Governor,
K. BANERJEE,
Dy. Secy. to the Govt. of West Bengal.

EDUCATION DEPARTMENT

College Sponsored

RESOLUTION

No. 1265-Edn(C.S.)/4C-16/74. — 1st August 1974. — In view of the complaints received from some time past against the administration and management of the Behala College (Government Sponsored), Parnashree, Behala (Calcutta-60), the Government has felt the need for an enquiry into the affairs of this College. The Governor is accordingly pleased to appoint hereby a two-member Committee composed of the following:—

(1) Prof. Pratip Kumar Mukherjee, West Bengal Senior Educational Service, Deputy Director of Public Instruction (Administration), West Bengal.

(2) Shri Sukhamoy Mazumdar, Retired Deputy Secretary, Finance Department, Government of West Bengal.

2. The Committee will start functioning immediately.

3. The Terms of Reference for the Committee will be as follows:—

(i) Investigation into the administrative affairs of the Behala College covering the period 1966-67 to 1973-74 including—

(a) appointment of teaching and non-teaching staff,

(b) payment of remuneration and part-time allowance to the teaching and non-teaching staff,

(c) disbursemen of scholarship money under different items,

(d) attendance of the teaching and non-teaching staff,

(e) implementation of Government orders issued from time to time,

(f) holding of Governing Body meeting and implementation of the resolutions of the Governing Body in conformity with the existing rules,

(g) sanction of leave to the staff and maintenance of accounts thereof.

(ii) Academic affairs of the College covering the period 1966-67 to 1973-74 including—

(a) arrangements existing at the college to ensure attendance of teachers for holding of regular classes as per routine,

(b) coverage of syllabus and holding of regular tutorial classes/practical classes,

(c) assessment of performance of students,

(d) management of laboratories and maintenance of stock registers—periodical verification,

(e) performances in the morning section and desirability for its further continuation in conformity with the principles prescribed by the Government on this behalf.

4 The Committee will submit its report by 30th September 1974.

Order

Ordered that the Resolution be published in the "Calcutta Gazette" and communicated to all concerned.

By order of the Governor,
B. N. CHATTERJEE,
Jt. Secy. to the Govt. of West Bengal.

CLOSED & SICK INDUSRIES DEPARTMENT

NOTIFICATION

No. 2779-CSI.—5th August 1974.—In exercise of the power conferred by section 3 of the West Bengal Relief Undertakings (Special Provisions) Act, 1972 (West Ben. Act XIII of 1972), the Governor is pleased hereby to make the following amendment in this Department Notification No. 2900-CSI., dated the 10th August 1973, published at page 2401 of Part I of the "Calcutta Gazette, Extraordinary", dated the 10th August 1973 (hereinafter referred to as the said Notification), namely:—

Amendment

In the said Notification in the fourth paragraph, for the words and figures "9th day of August 1974", substitute the words and figures "9th day of August, 1975".

By order of the Governor,
N. RAY,
Dy. Secy to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DIRECTORATE OF RATIONING

NOTIFICATION

No. 637/DR/GE/A/111/65.—1st April 1974.—Shri Sadananda Biswas, W.B.J.F. & S.S., Rationing Officer, Watgunge, under the Deputy Controller of Rationing (Initial Area-I) of this Directorate, is granted earned leave for ninety days with effect from 31st January 1974 to 30th April 1974 under rule 169(a)(i) of West Bengal Service Rules, Part I.

S. C. CHAKRAVARTY,
Director of Rationing, West Bengal.

DEPARTMENT OF HOUSING

Cell-II

NOTIFICATION

No. 419-HII.—9th March 1974.—The Governor was pleased to grant Shri A. Roy, Assistant Estate Manager, Estate Directorate, earned leave for twenty-seven days from 17th September 1973 to 13th October 1973 under rule 169(a)(i) of West Bengal Service Rules, Part I.

By order of the Governor,
B. N. DAM,
Asstt. Secy. (A. & E.) to the Govt. of West Bengal.

FORESTS DEPARTMENT

Forests

NOTIFICATION

No. 2176-For./2L-25/73. — 3rd April 1974.— The Governor is pleased to allow Shri P. K. Dutta, W.B.J.F.S., earned leave for ninety-five days from 17th December 1973 to 21st March 1974 in terms of rule 169 of West Bengal Service Rules, Part I.

By order of the Governor,
A. K. GUPTA,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DIRECTORATE OF RATIONING

NOTIFICATIONS

No. 432/DR/GE/A-79/65—11th March 1974 —Janab Md Akram Hossain, W.B.F. & S.S., Special Officer (Establishments) under the Deputy Controller of Rationing (Establishments) of this Directorate, is granted earned leave for sixteen days with effect from 17th November 1973 under rule 169(a)(i) of West Bengal Service Rules, Part I.

S. C CHAKRAVARTY,
Director of Rationing, West Bengal.

No. 433/DR/GE/A-27/70.—11th March 1974. —Shri Bipad Baran Kundu, W.B.J C.S., Rationing Officer, Asansol-II, under the Deputy Controller of Rationing, Asansol, of this Directorate, is granted earned leave for twelve days with effect from 14th January 1974 under rule 169(a)(i) of West Bengal Service Rules, Part I.

S. C CHAKRAVARTY,
Director of Rationing, West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 9240-W.T.—3rd August 1974.—The following draft of amendments which, in exercise of the powers conferred by sections 21, 21J and 41 of the Motor Vehicles Act, 1939 (Act 4 of 1939), the Governor proposes to make in the Bengal Motor Vehicles Rules, 1940, published with notification No. 1930-Pl., dated the 21st September 1940, at pages 2655-2829 of Part I of the "Calcutta Gazette" of the 10th October 1940, as subsequently amended (hereinafter referred to as the said rules), is hereby published, as required by sub-section (1) of section 133 of the said Act, for the information of persons likely to be affectd thereby.

2. The draft will be taken into consideration on or after the 24th August 1974, and any objection or suggestion with respect thereto, which may be received by the undersigned before that date, shall be considered.

Draft Amendments

In the said rules,—

(1) in sub-rule (c) of rule 6, for the words "five rupees", substitute the words "seven rupees and fifty paise",

(2) in sub-rule (g) of rule 10, for the words "ten rupees", substitute the words "fifteen-rupees",

(3) in sub-rule (d) of rule 11, for the words "ten rupees", substitute the words "fifteen rupees",

(4) in sub-rule (c) of rule 12, for the words "ten rupees", substitute the words "fifteen rupees",

(5) in sub-rule (b) of rule 15, for the words "five rupees", substitute the words "seven rupees and fifty paise",

(6) in sub-rule (c) of rule 15, for the words "five rupees", substitute the words "seven rupees and fifty paise",

(7) in sub-rule (e) of rule 15, for the words "two rupees", substitute the words "three rupees",

(8) in sub-rule (a) of rule 31, for the words "court fee of ten rupees", substitute the words "court-fee of fifteen rupees",

(9) for sub-rule (h) of rule 36, substitute the following sub-rule, namely:—

"(h) The fee for grant or renewal of a certificate of fitness shall be thirty rupees per annum and shall, in both cases, include the fee for inspection:

Provided that the fee for the renewal of certificate of fitness shall be rupees fifteen where such renewal remains valid for a period of six months only",

(10) for sub-rule (a) of rule 38, substitute the following sub-rule, namely:—

"(a) The fee for registration of a motor vehicle shall be,

(i) in respect of invalid carriage Ten rupees;

(ii) in respect of a motor cycle—Twenty-five rupees;

(iii) in respect of a light motor vehicle—Fifty rupees;

(iv) in respect of a medium motor vehicle—Seventy-five rupees;

(v) in respect of a heavy motor vehicle—One hundred and twenty-five rupees;

(vi) in respect of temporary registration of any motor vehicle—Fifteen rupees;

(vii) in respect of duplicate certificate of registration—Fifteen rupees,

(11) in sub-rule (b) of rule 39, for the words "five rupees", substitute the words "seven rupees and fifty paise",

(12) in the proviso to rule 39A for the words and figures "Rs. 10 only", substitute the words and figures "Rs. 15 only",

(13) in rule 46,—

(a) in sub-rule (c);—

(i) for the words "three hundred rupees", substitute the words "four hundred and fifty rupees", and

(ii) for the words "one hundred and fifty rupees", substitute the words "two hundred and twenty-five rupees";

(b) in sub-rule (l) for the words "ten rupees", substitute the words "fifteen rupees",

(14) (i) for sub-rule (c) of rule 96, substitute the following sub-rule, namely:—

"(c) the fee for the issue of a badge as aforesaid shall be three-rupees. If the badge is lost or destroyed, a duplicate badge shall be issued by the authority by which it was issued, on payment of three rupees. And upon the return to the issuing authority of a badge or of a duplicate badge, the driver shall be entitled to a refund of three rupees:

Provided that where the actual cost incurred by the State Govt. for a badge exceeds three rupees, the State Govt. may direct that such actual cost shall be charged as the fee under this sub-rule";

(ii) for sub-rule (c) of rule 97, substitute the following sub-rule, namely:—

"(c) the fee for the issue of a conductor's badge as aforesaid shall be three rupees. If the badge is lost or destroyed, a duplicate badge shall be issued by the authority which issued it, on payment of three rupees. And upon return to the issuing authority of a badge or a duplicate badge, the conductor shall be entitled to a refund of three rupees:

Provided that where the actual cost incurred by the State Govt. for a badge exceed three rupees, the State Govt. may direct that such actual cost shall be charged as the fee under this sub-rule".

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DIRECTORATE OF VETERINARY SERVICES

ORDERS

No. 1504.—5th March 1974.—Transfer of Dr. Rekha Majumder, Demonstrator, Department of Physiology, Bengal Veterinary College, Calcutta, to the post of Veterinary Surgeon (Reserve), Headquarters, Calcutta, made under this Directorate Order No. 6162/2T-1/72, dated the 29th October 1973 is hereby cancelled.

P. B. KUNDU,

Director of Veterinary Services,
West Bengal.

No. 1505/2T-3/73. — 5th March 1974. — In supersession of this Directorate Order No. 1022, dated the 14th February 1974, Dr. Ashim Prosad Chattopadhyay, Veterinary Surgeon, Development Block, Sankrail, district Howrah, is appointed on transfer to the post of Veterinary Surgeon, South African Horse Sickness, Headquarters, Calcutta, with effect from the date on which he assumes charge vice Dr. Swaraj Kumar Ghosh transferred.

P. B. KUNDU,

Director of Veterinary Services,
West Bengal.

No. 1506/2T-3/73. — 5th March 1974. — Dr. Swaraj Kumar Ghosh, Veterinary Surgeon, South African Horse Sickness, Headquarters, is appointed on transfer to the post of Veterinary Surgeon (Reserve), Headquarters, with effect from the date on which he assumes charge vice Dr. P. B. Bhattacharjee transferred.

P. B. KUNDU,
Director of Veterinary Services,
West Bengal.

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GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Appointment

NOTIFICATIONS

No. 1100-Edn(A)/2L-79/73.—15th March 1974.—The Governor was pleased to grant Dr. Heramba Nath Chatterjee, Professor and Head of the Department of Pali, Sanskrit College, Calcutta, in the West Bengal Senior Educational Service (Men's Branch) earned leave for thirteen days from the 5th November 1973 to 17th November 1973 with permission to prefix Summer Vacation extending from the 26th September 1973 to 4th November 1973 and to suffix Sunday, the 18th November 1973 under rule 171(b)(i) and (c) of the West Bengal Service Rules, Part I, read with rules 155-57 ibid.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1123-Edn(A)/6T-26/73.—16th March 1974.—The Governor is pleased to transfer Shri Amitava Sarkar, District Social Education Officer, Malda, in the West Bengal Educational Service, as Additional District Social Education Officer, 24-Parganas, in the same service with effect from the date on which he joins there and until further orders vice Shri Purnanda Pramanik transferred.

By order of the Governor
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1124-Edn(A)/6T-26/73.—16th March 1974.—The Governor is pleased to transfer Shri Mohan Bansi Mondal, District Social Education Officer, Cooch Behar, in the West Bengal Educational Service, as District Social Education Officer, Malda, in the same service with effect from the date on which he joins there and until further orders vice Shri Amitava Sarkar transferred.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1151-Edn(A)/2L-33/73.—19th March 1974. The Governor was pleased to grant Smt. Basabi Mukherjee, Lecturer in Geography, Lady Brabourne College, Calcutta, in the West Bengal Junior Educational Service (Women's Branch), maternity leave for thirty-three days for the period from 4th April 1972 to 6th May 1972 under rule 190(1) with permission to suffix 7th and 8th May (Sunday and gazetted holiday) and Summer Vacation extending from 9th May 1972 to 29th June 1972 and 30th June 1972 (gazetted holiday), of the West Bengal Service Rules, Part I, read with rules 155-157 ibid

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

No. 1165-Edn(A)/4A-65/72.—20th March 1974.—The Governor is pleased to transfer Dr. Dilip Kumar Sarkar, M.Sc., D.Phil., Lecturer in Chemistry, Jhargram Raj College, in the West Bengal Junior Educational Service (Men's Branch), Lecturer in Chemistry Presidency College, in the same service with effec from the date on which he joins there, until further orders vice Dr. Monotosh Das Gupta.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DIRECTORATE OF FORESTS

NOTIFICATION

No. 917/C.C.F.—6th March 1974.—Shri Samir Chandra Banerjee, W.B.J.F.S. (offg.), E.A.C.F., Silvicultural Division (North), was granted earned leave for fifteen days from the 13th October 1973 to the 27th October 1973, under rule 169(a) of the West Bengal Service Rules, Part I, with permission to prefix the Puja Holidays from the 2nd October 1973 to the 12th October 1973 and affix the Sunday on the 28th October 1973 to the leave.

Certified that Shri Banerjee would have continued to officiate in the post of E.A.C.F., Silvicultural Division (North), but for his proceeding on leave from 13th October 1973 to 27th October 1973.

K. C. ROY CHOUDHURY,
Chief Conservator of Forests.

DEVELOPMENT AND PLANNING DEPARTMENT

Town and Country Planning

NOTIFICATIONS

No. 1229-T&CP/3E-167/70(I).—1st March 1974.—The Governor is pleased to grant Shri Sisir Kumar Neogi, Executive Engineer of the Calcutta Metropolitan Planning Organisation, earned leave for the period

from the 1st February 1974 to the 28th February 1974 under rule 169(a) of the West Bengal Service Rules, Part I.

By order of the Governor,
A. K. DATTA,
Asstt. Secy. to the Govt. of West Bengal.

No. 1231-T&CP/3E-7/69.—1st March 1974.—The Governor was pleased to grant Shri Kamal Krishna Pal Chaudhuri, Associate Planning Officer of the Calcutta Metropolitan Planning Organisation, earned leave for the period from the 6th September 1973 to the 29th September 1973 under rule 169(a) of the West Bengal Service Rules, Part I.

By order of the Governor,
A. K. DATTA,
Asstt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 9325-WT/3T-21/72. — 6th August 1974. — In pursuance of the provisions of sub-section (3B) of section 63 of the Motor Vehicles Act, 1939 (Act 4 of 1939), the Governor is pleased hereby to publish the following reciprocal transport agreement arrived at between the Government of West Bengal and the Government of Punjab, after previous publication of the draft of the same under notification No. 2152-WT, dated 25th February 1974, at pages 390(a) and 390(b) of Part I of the "Calcutta Gazette, Extraordinary", of the 26th February 1974, as required by sub-section (3A) of section 63 of the Motor Vehicles Act, 1939.

RECIPROCAL AGREEMENT BETWEEN THE STATE OF WEST BENGAL AND THE STATE OF PUNJAB IN RESPECT OF MOVEMENT OF TRANSPORT VEHICLES ON INTER-STATE ROUTES BETWEEN PUNJAB AND WEST BENGAL.

Preamble

Whereas an agreement was made between the Government of West Bengal and the Government of Punjab in the month of February 1963, for the operation of road transport services between the two States; and

Whereas the aforesaid agreement expired in the month of February 1965, and status quo ante had been maintained since then in anticipation of revision and renewal of the agreement; and

Whereas it is necessary to renew the agreement for facilitating the movement of goods between the two States and assisting tourists of one State to visit the other whenever necessary;

Now, therefore, it is hereby agreed between the Government of West Bengal and the Government of Punjab as follows:

1. **Preliminary.**

This agreement shall come into force immediately after the requirements of publication and consideration of representations, envisaged under sub-section (3A) of section 63 of the Motor Vehicles Act, 1939, are fulfilled and shall be effective for a period of five years in the first instance from the date it is brought into force. It shall be subject to revision every six months or periodically at the instance of either State. For reasons to be given in writing by either State Government, it may be revoked on three months' notice and suspended on one month's notice. Such revocation or suspension will not, however, affect plying of vehicles covered by a permit already issued and/or countersigned under this agreement. Permanent permits shall be countersigned for the entire period of their validity in spite of the fact that such period may extend beyond validity of the agreement.

2. **Public Carriers**

It is agreed that public carrier's permits for 60 goods vehicles shall be countersigned by the Transport Authorities of either State. The countersignature shall be valid for the entire State permitting operation on all National and State Highways, only with deviation up to 30 kilometres from these roads to reach a manufacturing concern or an industrial centre. The countersignature so granted shall be subject to the following conditions:

(a) That such countersigned vehicles shall not be engaged in intra-State movement of goods within the jurisdiction of the countersigning State and shall not pick up such goods lying wholly within the jurisdiction of the countersigning State.

(b) That countersignature shall be subject to the provisions of section 56 of the Motor Vehicles Act.

3. **Private Carriers**

(1) It is agreed that private carrier's permits for 10 goods vehicles shall be countersigned by the Transport Authorities of either State. Such countersignature shall be for the entire area of the reciprocating States subject to the following conditions:

(a) Private carriers of either State operating under this Agreement shall not ply for hire or reward and shall not pick up or set down goods within any two points lying wholly in the jurisdiction of the countersigning State.

(b) Goods specified in the private carrier's permit only shall be carried.

(2) Recommendations for the countersignature of private carrier's permits shall be made by the State Transport Authority concerned only after it is satisfied from a thorough enquiry that countersignature is required for a bona fide private purpose.

4. **Temporary permits**

(*A*) *Public carriers and private carriers*

Temporary permits for 75 public carriers and 10 private carriers may be issued in a month by the State Transport Authority of either State without prior concurrence of the other State Transport Authority subject to the following conditions:—

(a) The permits shall be issued in strict conformity with the provisions of section 62 of the Motor Vehicles Act, 1939.

(b) The permits shall be valid for a period not exceeding 30 days but during this period vehicles can perform any number of trips between the two States.

(c) The permits shall be valid for the entire State permitting operation on all National and State Highways, only with deviation up to 30 kilometres from these roads to reach a manufacturing concern or an industrial centre.

(d) Copies of temporary permits issued by either State Transport Authority shall be forwarded forthwith to the other State Transport Authority.

(e) Vehicles of one State shall not pick up or set down goods within any two points lying wholly in the jurisdiction of the other State.

(f) Goods of only specified description shall be carried in private carriers.

(*B*) *Tourist cars and coaches*

Special permits under sub-section (6) of section 63 of the Motor Vehicles Act, 1939, may be issued by either State Transport Authority as and when necessary.

5. **Taxation**

The principle of single-point taxation shall apply to the vehicles of each State operating on any Inter-State route under this agreement.

6. **Corridor arrangements**

In order to facilitate the movement of motor vehicles through the territory falling in the States of Bihar and Uttar Pradesh the following corridor arangements shall be accepted subject to the approval of the Governments of Bihar and Uttar Pradesh:—

(i) Vehicles shall traverse the territories of Bihar and Uttar Pradesh through the shortest practicable route if no route is specified for the purpose by the Governments concerned.

(ii) Vehicles shall neither pick up nor set down goods within Bihar or Uttar Pradesh.

(iii) The Governments of Bihar and Uttar Pradesh shall have the right to prescribe the time within which vehicles shall pass through their jurisdiction.

(iv) The Governments of Bihar and Uttar Predesh shall be at liberty to take such action as may be permissible under the law for any breach of the above conditions or of any provision of the law.

(2) The Governments of West Bengal and Punjab shall move the Governments of Bihar and Uttar Pradesh for their concurrence to the conditions stated above and for the countersignature, subject to these conditions, of permits issued by the two State Transport Authorities.

7. **General**

Each State shall accord recognition to tax tokens, registration certificates, certificates of fitness of vehicles, conductors' licences, authorisation to drive transport vehicles, etc., issued by the other State in respect of vehicles operating, or to be operated, on Inter-State routes in accordance with this agrement.

R. P. OIHA,
Secy. to the Govt. of Punjab,
Transport Department.

M. M. KUSARI,
Transport Commissioner and Ex Officio Secretary, Home (Transport) Department.
Government of West Bengal

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

24-PARGANAS.—No. 15382L.A.(P.W.)/II-405/73.—6th August 1974.—Whereas 14.2185 hectares (35.135 acres), more or less, of land situate in or near the villages of Nehalpur, Srinagar, Sibchandrapur and Begampur described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for excavation of main channel from Matia Road Bridge to Bibeknagar in connection with Sealdah gong Basin Drainage scheme.

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be be inspected in the office of the Special Land Acquisition Officer, 24-Parganas (North), Bhabani Bhaban, Alipur, Calcutta-27.

Description of lands

Mauza Nehalpur, jurisdiction list No. 8, police-station Basirhat, district 24-Parganas.

Revisional survey plots in full—1190, 1191, 1201, 1204, 1205, 1243, 1247, 1248, 1244, 646, 647, 648, 642, 1341, 1342, 1343, 1344, 1345, 1346, and 1349,.

Revisional survey plots in part—

Plot Nos.	Specific portion of the plots.	Area in Acres.	Area in Hectares
1189	Southern portion ..	.52	.2104
1188	Southern portion ..	.125	.0506
1274	Southern portion ..	1.26	.5099
1273	Southe.n portion ..	.35	.1416
1192	Leaving south west corner.	·11	·0445
1193	South-east portion ..	.23	.0930
1194	Eastern portion ..	.10	.0405
1315	Eastern portion ..	.265	.1072
1202	Leaving south-east portion	.76	.3216
1203	North-west portion	.41	.1659
1200	South-east portion ..	.185	.0749
1195	South-east portion ..	·08	.0324
1272	North-west portion	1.21	.4896
1271	Leaving south-east portion	.455	.1841
1206	Leaving north-west corner.	.33	.1335
1207	South-east portion ..	.18	.0729
1268	Southern portion ..	.085	.0344
1269	Eastern portion ..	.11	.0445
1270	North-west portion	.505	.2043
1264	South-east corner ..	.01	.0040
1254	South and northern portion.	.36	.1457
1253	Leaving western portion	.49	.1983
1246	Western portion ..	.35	.1416
1249	Eastern portion ..	.13	.0526
1252	Eastern portion ..	.12	.0486
1256	South-east corner ..	.01	.0040
1242	Eastern portion ..	.39	.1578
1245	Western portion ..	.12	.0486
645	Eastern portion ..	.88	.3561

Plot Nos.	Specific portion of the plots.	Area in Acres.	Area in Hectares.
644	Western portion ..	.07	.0283
643	Western portion ..	.19	.0779
649	Eastern portion ..	.50	.2023
641	Eastern portion ..	.59	.2387
1354	Eastern portion ..	.01	.0040
1355	Eastern portion ..	.015	.0060
629	Eastern portion .	.25	.1011

Mauza Srinagar, jurisdiction list No. 25, police-station Basirhat, district 24-Parganas.

Revisional survey plots in full—2518, 2519 and 2520.

Revisional survey plots in part—

Plot Nos.	Specific portions of the plot.	Area in Acres.	Area in Hectares.
2517	North-west portion	.015	.0060
2521	Western portion ..	.08	.0324

Mauza Sibchandrapur, jurisdiction list No. 26, police-station Basirhat, district 24-Parganas.

Revisional survey plots in full—74, 75, 76, 77, 78, 413, 418, 419, 452, 454, 455, 456, 461, 462 and 463

Revisional survey plots in part—

Plot Nos.	Specific portion of the plots.	Area in Acres	Area in Hectares.
73	Western portion ..	.13	.0526
79	Western portion ..	.51	.2063
85	Western portion ..	.22	.0890
86	North-west portion	.03	.0121
87	North west portion	.13	.0526
374	Western portion ..	.39	.1578
376	Western portion ..	.56	.2266
378	Western portion ..	.35	.1416
379	Western portion ..	.29	.1173
381	Western portion ..	.52	.2104
383	Middle portion ..	.51	.2063
386	Middle portion	.55	.2265
390	Middle portion ..	.55	.2265
393	Middle portion ..	.59	.2387
399	Western portion ..	.85	.3439
400	Eastern portion ..	.71	.2863
403	Eastern portion ..	.36	.1457
404	Eastern portion ..	.22	.0890
407	Eastern portion ..	.25	.1011
408	Eastern portion ..	.26	.1052
411	Eastern portion ..	.32	.1295
412	Eastern portion ..	.18	.0722
414	Western portion ...	.16	.0648
415	Western portion ..	.51	.2063
416	Western portion ..	1.16	.4695
417	Leaving south west portion.	.12	.0486
422	North east portion ..	.02	.0081
424	Eastern portion ..	.76	.3216
428	Eastern portion ..	.25	.1011
429	Eastern portion ..	.27	.1092
445	North east portion ..	.04	0162
446	Eastern portion ..	.20	.0809
447	Western portion ..	.32	.1295
449	Western portion ..	.35	.1416
450	Leaving south west portion.	.43	.1740
451	Eastern portion ..	.12	.0486
453	Western portion ..	.32	.1295
457	Leaving north east portion.	.33	.1335
458	Southern portion ..	.12	.0486
459	Southern portion ..	.04	.0162
460	Eastern portion ..	.26	.1052
464	Southern portion ..	.15	.0607
472	Eastern portion ..	.26	.1052
473	Eastern portion ..	.10	.0405

Mauza Begampur, jurisdiction list No. 9, police-station Basirhat, district 24-Parganas.

Revisional survey plots in part—

Plot Nos.	Specific portion of the plots.	Area in Acres.	Area in Hectares.
1636	Eastern portion ..	.02	.0081
1644	Eastern portion ..	.01	.0040
1651	Eastern portion ..	.015	.0060
1652	Eastern portion ..	.19	.0769
1653	Eastern portion ..	.27	.1092
3595	Eastern portion ..	.14	.0567

By order of the Governor.

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

CLOSED AND SICK INDUSTRIES DEPARTMENT

NOTIFICATION

No. 2751-CSI.—5th August 1974.—In exercise of the power conferred by section 3 of the West Bengal Relief Undertakings (Special Provisions) Act, 1972 (West Ben. Act XIII of 1972), the Governor is pleased hereby to make the following amendment in this Department Notification No. 2858-CSI, dated the 7th August 1973, published at page 2383 of Part I of the "Calcutta Gazette, Extraordinary", dated the 7th August 1973 (hereinafter referred to as the said notification), namely:

Amendment

In the said notification, for the words and figures "the 6th day of August 1974" substitute the words and figures "the 6th day of November 1974".

By order of the Governor,
N. RAY,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4253/M3L-18/74.—2nd August 1974.—In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of Notification No. 3374/M2A-32/74 Pt. I, dated the 6th July 1974, the Governor is pleased to appoint Shri Amulya Kumar Roy, Special Officer, Grade II, now employed as Executive Officer of the North Dum Dum Municipality, to be the Executive Officer of the Panihati Municipality in the district of 24-Parganas until further orders, in addition to his own duties, with effect from the date he takes over charge as Executive Officer of the Panihati Municipality vice Shri Anil Kumar Ghosh, Special Officer, Grade I, Executive Officer Panihati Municipality, who has proceeded on leave with effect from 29th July 1974 and to confer on him the same powers and duties of the Chairman and the Commissioners of the Panihati Municipality as were conferred on the Executive Officer by Notification No. 5039/M3P-34/71, dated the 2nd September 1971.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL
DIRECTORATE OF RATIONING

NOTIFICATION

No. 539/DR/GE/A-5/70.—23rd March 1974.—Shri Sukumar Bagchi, W.B.J.F.&S.S., Assistant Controller of Rationing (Employers' Shop), of this Directorate, is granted earned leave for eighty days with effect from 13th November 1973 to 31st January 1974 under rule 169(a) of West Bengal Service Rules, Part I.

S. C. CHAKRAVARTY,
Director of Rationing.

EDUCATION DEPARTMENT

College Sponsored

NOTIFICATION

No. 497-Edn(CS)/2L-2/74.—22nd March 1974. -The Governor is pleased to sanction maternity leave for ninety days for the period from the 11th December 1971 to the 10th March 1972 to Sm. Dipali Ghosh, Lecturer, Post-Graduate Basic Training College, Banipur, in the West Bengal Junior Educational Service (Women's Branch), under rule 199(i) of the West Bengal Service Rules, Part I.

By order of the Governor,
L. K. CHATTERJI,
Dy. Secy. to the Govt. of West Bengal.

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PART IA.—Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India, and other Election Notifications published for general information. Orders and Notifications which have originally been published in the "Gazette of India" are only republished.

ELECTION COMMISSION OF INDIA

New Delhi, August 3, 1974

NOTIFICATION

No. 479/74.—In pursuance of rule 27 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby appoints 20th August 1974 (Tuesday) as the day on which and 11.30 A.M. of that day as the time at which the counting of votes at the Presidential Election, 1974, shall take place in the office of the Returning Officer (Room No. 63, First Floor of the Parliament House) in New Delhi.

By Order,
A. N. SEN,
Secre ary to the Election Commission of India.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Reforms

NOTIFICATIONS

No. 15258-L.Ref./8P-6/74.—5th August 1974.—In exercise of the power conferred by sub-section (1) of section 17 of the West Bengal Land Reforms Act, 1955 (West Bengal Act X of 1956), the Governor is pleased hereby to appoint all Junior Land Reforms Officers in each district within West Bengal, as the officer referred to in that sub-section for the areas in their respective jurisdictions.

By order of the Governor,
D. BASU RAY,
Dy. Secy. to the Govt. of West Bengal.

No 15260-L.Ref./8P-6/74.—5th August 1974.—In exercise of the power conferred by sub-section (1) of section 18 of the West Bengal Land Reforms Act, 1955 (West Bengal Act X of 1956), the Governor is pleased hereby to appoint all Junior Land Reforms Officers in each district

within West Bengal, as the officer referred to in that sub-section for the areas in their respective jurisdictions.

By order of the Governor,
D. BASU RAY,
Dy. Secy. to the Govt. of West Bengal.

No. 15262-L.Ref./8P-6/74.—5th August 1974.—In exercise of the power conferred by sub-section (2) of section 20 of the West Bengal Land Reforms Act, 1955 (West Bengal Act X of 1956), the Governor is pleased hereby to appoint the Sub-divisional Officer, Durgapur, in the district of Burdwan, as the officer referred to in that sub-section for the area within his jurisdiction.

By order of the Governor,
D. BASU RAY,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MALDA.—No. 15554 L. A. (P. W.)/2R-336/72.—7th August 1974.—Whereas 1·3112 hectares (3·24 acres), more or less, of land situated in or near the village of Doula described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for transport and communication, namely, for the construction of a link road from Tulshihata Kushidha Road to Bishnupur High School;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for the public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Malda.

Description of the land

Mouza Doula, jurisdiction list No. 33, police-station Harishchandrapur, district Malda

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
326	Southern	·01	·0040
327	Southern	·26	·1052
329	Northern	·16	·0647
335	Eastern	·03	·0121
336	Eastern	·25	·1012
337	Western	·10	·0405
338	Western	·03	·0121
339	Southern	·11	·0445
340	Southern	·16	·0647
413	Southern	·32	·1295
415	Northern	·11	·0445
416	North-eastern ..	·55	·2226
418	North-eastern ..	·08	·0324
426	North-eastern ..	·24	·0971
449	North-eastern ..	·03	·0121
450	Northern	·06	·0243
451	Northern	·04	·0162
338/623	Western ..	·09	·0364
413/638	Southern ..	·09	·0364
413/639	Southern ..	·11	·0445
450/649	Northern ..	·09	·0364
451/650	Northern ..	·09	·0364
414	North-eastern ..	·23	·0931

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

DECLARATIONS

MIDNAPORE.—No. 15560 L. A. /2R-12/70.—7th August 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purposes of the Union, have been entrusted to the State Government by Notification No. 20/1/55-Judl. (I), dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (I) of Article 258 of the Constitution of India, as S. R. O. 1074 and published at page 868, Part II, section 3 of the "Gazette of India", dated the 21st May 1955;

And whereas the Governor is satisfied that the land is needed for a public purpose, namely, for the construction of Rail Link to Haldia Port in the village of Ajra, jurisdiction list No. 151, police-station Mohisadal, district Midnapore, it is hereby declared that a piece of land comprising cadastral survey plots, as detailed below and measuring, more or less 0·30 of an acre (0·1214 of a hectare) is needed for the aforesaid public purpose at the public expense in the district of Midnapore.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 (Act I of 1894), read with the said notification to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Midnapore.

Schedule of the land

Mouza Ajra, jurisdiction list No. 151, police-station Mohisadal, district Midnapore.

Cadastral survey plot in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1044	Eastern	·30	·1214

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio to the Govt. of West Bengal.

MIDNAPORE.—No. 15568 L. A. /2R-6/71.—7th August 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purposes of the Union, have been entrusted to the State Government by Notification No. 20/1/55 Judl. (I), dated the 14th May 1955, issued by the Government of India in the Ministry of Home affairs under clause (I) of Article 258 of the Constitution of India, as S. R. O. 1074 and published at page 868, Part II, section 3 of the "Gazette of India," dated the 21st May 1955;

And whereas the Governor is satisfied that the land is needed for a public purpose, namely, for the construction of Rail Link to Haldia Port in the village of Uttarchanchiara, jurisdiction list No. 208, police-station Panskura, district Midnapore, it is hereby declared that a piece of land comprising cadastral survey plot No. 289/1452 and measuring, more or less, 0·19 of an acre (0·07689 hectare) is needed for the aforesaid public purpose at the public expense in the district of Midnapore.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 (Act I of 1894), read with the said Notification to all whom it may concern.

A plan of the Land may be inspected in the office of the Collector of Midnapore.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE—No. 15397-LA(P.W.) II-218/74.—th August 1974.—Whereas 15·827 hectares (39·08 cres), more or less, of land, situate in or near the village f Sabitrapur described below have been requisitioned nder sub-section (1) of section 3 of the West Bengal and (Requisition and Acquisition) Act, 1948 by the erson authorised under section 3 (1A) of the Act, r the public purpose of providing facilities for irriation and Drainage, namely, for Dubda Basin Drainage cheme.

Now, therefore, notice is hereby given that in purnance of section 4 of the said Act, the Governor cquires such land being required for a public purpose s aforesaid.

This notice is given under the provisions of sub-section 1a) of section 4 of the West Bengal Land (Requisition nd Acquisition) Act, 1948 (West Bengal Act II of 948) to all whom it may concern.

A plan of the land may be inspected in the Office f the Special Land Acquisition Officer, Midnapore.

Description of land

Mauza Sabitrapur, jurisdiction list No. 120, police-station Ramnagar, district Midnapore.

Cadastral survey plots in full—287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 437 438, 439, 440, 441, 442, 443, 444 447, 448, 449, 454, 455, 456, 481, 482, 483, 484, 485, 491, 492, 493, 495, 496, 498, 499, 520, 522, 523, 524, 525, 526, 530, 535, 536, 537, 538, 539, 539/2017, 546, 548, 549, 550, 551, 552, 557, 558, 559, 560, 561, 562, 563, 564, 565, 569, 571, 572, 574, 575, 579, 580, 582, 583, 584, 587, 588, 589, 590, 591, 592, 593, 595, 596, 597, 637, 638, 639, 640, 641, 642, 643, 644, 646, 647, 648, 649, 650, 651, 652, 653, 655, 656, 657, 658, 662, 666, 738, 740, 741, 742, 743, 744, 745, 746, 932, 933, 935, 936, 937, 938, 940, 942, 943, 976, 977, 979, 980, 981, 991, 992, 993, 994, 995, 996, 997, 998, 1001, 1002, 1006, 1007, 661/1840, 447/1845, 450/1849, 598/1896, 559/1857, 1004/1869, 538/1909, 550/1910, 573/1913, and 572/1912.

Revisional Survey plots in part—

Plot No.	Specific portion of the plot.		Area in acres.	Area in hectares.
286	Southern	..	·70	·28350
297	South western	..	·18	·07290
419	South western	..	·17	·06885
420	South western	..	·03	·01215
428	South western	..	·10	·04050
436	South western	..	·18	·07290

Plot No.	Specific portion of the plot.	Area in acres.	Area in hectares.
445	Northern ..	·16	·06480
446	Northern ..	·05	·02025
450	Southern	·20	·08100
457	Eastern ..	·19	·07695
458	Eastern ..	·42	·17010
476	North West corner ..	·01	·00405
478	South western ..	·08	·03240
479	Southern ..	·18	·07290
480	Southern ..	·17	·06885
570	South western ..	·03	·01215
576	Western ..	·42	·17010
577	Entire except north east corner.	·655	·26527
578	Southern ..	·15	·06075
581	Northern ..	·07	·02835
585	Eastern ..	·145	·05872
586	Eastern ..	·11	·04455
594	Northern ..	·28	·11345
598	Eastern ..	·33	·13365
599	Northern ..	·13	·05265
635	Northern ..	·87	·35205
636	Northern ..	·44	·17820
663	Northern ..	·06	·02430
736	Northern ..	·06	·02430
737	Northern ..	·01	·00405
739	Northern ..	·13	·05265
747	North Eastern ..	·07	·02835
930	North Eastern ..	·03	·01215
931	North Eastern ..	·67	·27135
934	South western ..	·24	·09721
939	North eastern ..	·14	·05670
941	North eastern ..	·12	·04840
944	Entire except south western corner.	·41	·16605
945	Northern ..	·17	·06885
946	Northern ..	·05	·02025
947	North East corner ..	·03	·01215
974	Eastern ..	·41	·16605
975	Entire except south western corner.	·48	·19440
982	Entire except North east corner.	·29	·11745
983	South west corner ..	·02	·00810
988	South Western ..	·08	·03240
989	South Western ..	·10	·04050
990	South Western ..	·11	·04455
999	Eastern ..	·14	·05670
1000	Eastern ..	·09	·03645
1004	Eastern ..	·03	·01215
1005	Eastern ..	·12	·04860
1008	North Eastern ..	·23	·09315
586/1858	Eastern ..	·03	·01215
581/1914	South western ..	·17	·06885
1003/1943	North Eastern ..	·07	·02835

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal.

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LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 15821-L. A.(P. W.)/II-216/74.—8th August 1974.—Whereas 5·93635 hectares (14·67 acres), more or less, of land situated in or near the village of Chakghuli described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act, for the public purpose of providing facilities for irrigation and drainage, namely, for Dubda Basin Drainage Scheme ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the Office of the Special Land Acquisition Officer, Midnapore.

Description of the land

Mauza Chakghuli, jurisdiction list No. 25, police-station Ramnagar, district Midnapore

Cadastral survey plots in full—251, 252, 253, 255, 256, 257, 258, 259, 263, 264, 265, 266, 267, 270, 271, 275, 273, 274, 275, 277, 278, 280, 281, 331, 332, 333, 334, 335, 336, 344, 347, 348, 349, 350, 351, 352, 353, 354, 355, 335/479, 348/521, 351/522.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
233	North-western	..	·01	·00405
250	North-eastern	..	·13	·05265
261	Western ..	..	·13	·05265
262	South-western	..	·80	·32400
269	North-eastern	..	·20	·08100
276	Western ..	..	·50	·20250
282	Eastern ..	..	·40	·16200
286	Eastern ..	..	1·60	·64800
343	South-western	..	·07	·02835
345	South-western	..	·32	·12960
346	South-western	..	·34	·13770
356	South-western	..	·20	·08100
364	South-western	..	·06	·02430
365	South-western	..	·01	·00405
366	Southern ..	..	·06	·02430
367	Southern ..	..	·09	·03645
356/523	Southern	..	·10	·04050
254	Eastern ..	..	·21	·08505

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 9434-WT.—8th August 1974.—The following uft of directions which, in exercise of the power onferred by clause (i) of sub-section (1) of section 43 f the Motor Vehicles Act, 1939 (4 of 1939), the overnor proposes to issue to the State Transport uthority, West Bengal, is hereby published as quired by the proviso to sub-section (1) of section of the said Act, for the information of persons tely to be affected thereby.

The draft will be taken into consideration on or er the 23rd September 1974 and any objection or gestion with respect thereto which may be eived by the undersigned before the 17th tember 1974, shall, in consultation with the State nsport Authority, West Bengal, be considered r giving the representatives of the interests cted by the proposed directions an opportunity being heard.

Draft Directions

The State Transport Authority, West Bengal, is hereby directed to fix a maximum fare of 5 paise per kilometre in respect of stage carriages plying on inter-regional and inter-State routes :

Provided that the maximum fare so fixed shall not be applicable to such special stage carriage services in respect of which higher fares have been, or may be, allowed by the Transport Authority which granted the permit in consideration of limited seating capacity and additional passenger amenities.

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

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LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 15790 L.A.(P.W.)/II-197/74 8th August 1974.—Whereas 23·32800 hectares (57·60 acres), more or less, of land, situate in or near the village of Madhabpur described below have been repuisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3 (1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for Dubda Basin Drainage Scheme.

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor requires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act 1948 (West Bengal Act II of 1948), to all whom it may conern.

A plan of the land may be inspected in the Office of the Special Land Acquisition Officer, Midnapore.

Description of Land

Mauza Madhabpur, jurisdiction list No. 121, polices station Ramnagar, district Midnapore.

Revisional survey plots in full—559, 609, 697, 698, 699, 700, 701, 702, 707, 708, 709, 710, 711, 712, 713, 714, 716, 717, 718, 719, 720, 721, 722, 723, 726, 727, 1192, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1227, 1230, 1260, 1261, 1262, 1263, 1264, 1270, 1345, 1346, 1347, 1348, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1395, 1396 1397, 1398, 1399 1400, 1401, 1402, 1403, 1404, 1406, 1428, 1490, 1508, 1509, 1510, 1511, 1512, 1259/1648, 1402/1649, 723/1674, 723/1675, 1394/1689, 1489/1694 2273, 2274, 2275, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2315, 2316, 2317, 2318, 2319 2320, 2321, 2322, 2323, 2324 2325, 2326, 2400, 2401, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2468, 2469, 2473, 2474, 2475, 2476 2488, 2489 2490, 2492, 2493, 2494, 2495, 2496 2497, 2498, 2499, 2501, 2502, 2511, 2512, 2513, 2322/3078, 2502/3122, 2502/3123 and 2576.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in Acre.	Area in hectare.
556	North-eastern ..	·03	·01215
558	Northern ..	·15	·06075
560	Northern ..	·48	·19440
561	North-eastern ..	·07	·02835
607	North-eastern ..	·10	·04050
608	Northern ..	·19	·07695
610	Entire except south-western corner.	1·17	·47385
611	Eastern ..	·31	·12555
612	Eastern ..	·23	·09315
613	Eastern ..	·13	·05265
614	North-eastern ..	·02	·00810
703	North-eastern ..	·07	·02835
706	North-eastern ..	·06	·02430
724	Southern ..	·25	·10125
725	Southern ..	·34	·13770
728	Entire except north-east corner.	·45	·18225
729	South-westeru ..	·03	·01215
742	South-western ..	·01	·00405
743	Southern ..	·06	·02430
1177	Southern ..	·17	·06885
1178	Southern ..	·09	·03645
1179	Southern ..	·04	·01620
1180	Southern ..	·02	·00810
1181	Southern ..	·01	·00405
1189	Southern ..	·03	·01215
1190	Southern ..	·06	·02430
1191	Southern ..	·07	·02835
1210	Entire except South-west corner.	·89	·36045
1228	Southern ..	·19	·07695
1229	Southern ..	·04	·01620
1231	Southern ..	27	·10935
1257	North-western ..	·01	·00405
1258	Southern ..	·09	·03645
1259	Entire except north-eastern corner.	·36	·14580
1265	Southern ..	·06	·02430
1266	Southern ..	·04	·01620
1267	Southern ..	·03	·01215
1269	Southern ..	·34	·13770
1271	Southern ..	·44	·17820
1340	South-western ..	·12	·04860
1342	Southern ..	·12	·04860
1363	Southern ..	·58	·23490
1367	Southern ..	1·03	·41715
1390	Northern ..	·06	·02430
1391	Northern ..	·03	·01215
1392	Northern ..	01	·00405
1394	North-eastern ..	·06	·02430
1407	Northern ..	·03	·01215
1408	Northern ..	·05	·02025
1409	Northern ..	·06	·02430
1427	Northern ..	·12	·04860
1491	Northern ..	·23	·09315
1492	Southern ..	·02	·00810
1493	Southern ..	·04	·01620
1494	Southern ..	·05	·02025
1504	Northern ..	·22	·08910
1505	Northern ..	·07	·02835
1506	Northern ..	·09	·03645
1507	Northern ..	·02	·00810
1513	Entire except South-west corner	1·90	·76950
1514	North-eastern ..	·03	·01215
1517	Northern ..	·04	·01620
1518	Northern ..	·06	·02430
2269	Southern ..	·07	·02835
2270	Southern ..	·12	·04860
2271	Southern ..	·15	·06075
2272	Southern ..	·12	·04860
2276	Southern ..	·82	·33210
2280	Southern ..	·47	·19035
2295	Southern ..	·52	·21060
2297	Southern ..	·20	·08100
2298	Southern ..	·15	·06075
2306	Southern ..	·18	·07290
2307	Southern ..	·07	·02835
2308	Southern ..	·06	·02430
2310	Southrrn ..	·16	·06480
2311	Southern ..	·06	·02430
2313	South-western corner	·01	·00405
2314	Southern ..	·23	·09315
2327	Northern ..	·33	·13365
2328	Entire except south-western corner.	·36	·14580
2329	Northern ..	·36	·14580
2330	Northern ..	·19	·07695
2331	North-east corner	·01	·00405
2398	Southern ..	·24	·09720
2399	Southern ..	·32	·12960
2402	Northern ..	·03	·01215
2415	North-eastern ..	·04	·00810
2424	Northern ..	·09	·03645
2425	Northern ..	·26	·10530
2467	North-eastern ..	·04	·01620
2477, 2477/3118	Southern ..	·17	·06885
2478	Southern ..	·08	·03240
2479, 2479/3119	South-west corner	·01	·00405
2487	South-western ..	·26	·10530
2503, 2503/ 124	Northern ..	·06	·02430
2280/3079	Southern ..	·02	·00810
2500	Entire except western corner.	·19	·07695
1231/1647	Southern ..	·05	·02025

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (exofficio) to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

BURDWAN.—No. 15731L.A.(II/5D-63/74.—8th August 1974.—Whereas 2·6467 hectares (6·54 acres), more or less, of land situate in the villages of Gopinathpur, Nadiha and Narayanpur described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the State Government for the purpose of providing facilities for irrigation namely, for resectioning the drainage channel D/S. of the Syphon at chainage 133·50 of Left Bank Main Canal from chainage 0·20 to chainage 44·00 in connection with Damodar Flood Control Project;

Now, therefore, notice is hereby given that in pursuance of sub-section (1a) of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

Mines of coal, iron stone, slate or other minerals lying under the land or any particular portion of the land except only such parts of the mines and minerals as it may be necessary to dig or carry away, or use in the construction of the work for the purpose of which the land is being acquired are not needed.

This notice is given under the provisions of sub-section (1a) of section 4 read with section 5A of the West Bengal Land (Requisition and Acquisitiopn) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition officer Damodar Valley Project, Burdwan.

Description of the land

Village Gopinathpur, jurisdiction list No. 85, police-station Faridpur, district Burdwan.

Cadastral survey plot in full—6049

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
6030P	Eastern	..	·14	·0566
6034P	Eastern	..	·06	·0243
6036P	Eastern	..	·13	·0526
6048P	Eastern	..	·25	·0506
6058P	North-eastern	..	·05	·0202
9770P	North-eastern	..	·04	·0162
9774P	North-eastern	..	·045	·0182

Village Nadiha, jurisdiction list No. 92, police-station Faridpur.

Cadastral survey plots in full—1534, 1546, 1547 and 2223.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1482	Eastern .	·025	·0101
1483	Eastern .	·06	·0243
1533	Eastern .	·045	·0182
1535	Eastern ..	·04	·0162
1536	Eastern ..	·04	·0162
1538	Western ..	·05	·0202
1539	Western ..	·06	·0243
1540	Western ..	·05	·0202
1541	Western ..	·04	·0162
1543	Western ..	·03	·0121
1544	Western ..	·14	·0567
1545	Western ..	·01	·0041
1548	Western ..	·035	·0141
1549	South-western ..	·015	·0061
1550	Southern ..	·01	·0041
2137	Western ..	·05	·0202
2138	Western ..	·055	·0222
2140	Western ..	·075	·0303
2141	Western ..	·07	·0283
2142	Western ..	·07	·0283
2143	Western ..	·07	·0283
2144	Eastern ..	·07	·0283
2145	Eastern ..	·20	·0809
2146	Western ..	·11	·0445
2149	Western ..	·05	·0202
2151	Western ..	·08	·0324
2160	Western ..	·075	·0303
2161	Eastern ..	·08	·0324
2162	North-eastern ..	·015	·0061
2163	South-western ..	·04	·0162
2167	Eastern ..	·13	·0526
2169	Eastern ..	09	·0364
2175	Eastern ..	·065	·0263
2176	Eastern ..	·09	·0364
2183	Eastern ..	·19	·0769
2186	Eastern ..	·21	·0851
2187	Western ..	·30	·1215
2190	Western ..	·34	·1376
2191	South-eastern ..	·01	·0041
2196	Western ..	·03	·0121
2197	Western ..	·025	·0101
2198	Western ..	·02	·0081
2199	Western ..	·015	·0061
2200	Western ..	·015	·0061
2201	Western ..	·015	·0061
2202	Western ..	·015	·0061
2203	Western ..	·015	·0061
2215	Western ..	·06	·0243
2216	Western ..	·08	·0324
2217	Western ..	·06	·0243
2218	Eastern ..	·08	·0324
2219	Eastern ..	·13	·0526
2220	Eastern ..	·03	·0121
2221	Eastern ..	·025	·0101
2222	Eastern ..	·05	·0202
2225	Eastern ..	·13	·0526
2226	South-western ..	·02	·0081
2391	Eastern ..	·16	·0647
2392	Western ..	·01	·0041
2393	Western ..	·20	·0809
2394	South-western ..	·15	·0607
2395	Northern ..	·08	·0324
2396	Northern ..	·04	·0162
2397	Northern ..	·07	·0283
2399	Northern ..	·09	·0364
2734	Eastern ..	·03	·0121
2738	Western ..	·07	·0283
2815	Western ..	·07	·0283
2817	Western ..	·06	·0243
2818	Western ..	·07	·0283
2820	Middle	·24	·0972
2822	Western ..	·06	·0243
2823	Western ..	·01	·0041
2860	Western ..	·02	·0081

Village Narayanpur, jurisdiction list No. 93, police-station Faridpur, district Burdwan.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
802	South-western	·10	·0405
1220	Northern	·08	·0324

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy (ex officio) to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

THE COMPANIES (TEMPORARY RESTRICTIONS ON DIVIDENDS) AMENDMENT ORDINANCE, 1974

No. 9 OF 1974

[*The 15th July, 1974.*]

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

An Ordinance

to amend the Companies (Temporary Restrictions on Dividends) Ordinance, 1974.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:— **Short title and commencement.**

1. (*1*) This Ordinance may be called the Companies (Temporary Restrictions on Dividends) Amendment Ordinance, 1974.

(2) It shall be deemed to have come into force on the 6th day of July, 1974.

Amendment of section 2.

2. In section 2 of the Companies (Temporary Restrictions on Dividends) Ordinance, 1974, for clause (e), the following clause shall be substituted, namely:— 7 of 1974.

'(*e*) "net profits" means net profits of the company as computed in accordance with the provisions of section 349 of the Companies Act, 1956, subject to the modification that— 1 of 1956.

(*i*) any income-tax payable under the Income-tax Act, 1961, in respect of the profits as so computed or any tax of a similar character payable in respect of such profits under any law in force in any country outside India, and surtax payable in respect of such profits under the Companies (Profits) Surtax Act, 1964, shall also be deducted; and 43 of 1961. 7 of 1964.

(*ii*) depreciation shall be provided in accordance with the provisions of section 205 of the Companies Act, 1956.'. 1 of 1956.

V. V. GIRI,

President.

K. K. SUNDARAM,

Secy. to the Govt. of India.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

THE COMPULSORY DEPOSIT SCHEME (INCOME-TAX PAYERS) ORDINANCE, 1974

No. 10 of 1974

[the 17th July, 1974.]

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

An Ordinance

to provide, in the interest of national economic development, for compulsory deposit by certain classes of income-tax payers and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title, extent and commencement.

1. (*1*) This Ordinance may be called the Compulsory Deposit Scheme (Income-tax Payers) Ordinance, 1974.

(*2*) It extends to the whole of India.

(*3*) It shall come into force at once.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(*a*) "compulsory deposit" means compulsory deposit under this Ordinance;

(*b*) "deposit" means a deposit of money;

(*c*) "depositor" means a person who is liable to make a compulsory deposit;

(*d*) "Income-tax Act" means the Income-tax Act, 1961; 43 of 1961.

(*e*) all other words and expressions used herein but not defined and defined in the Income-tax Act shall have the meanings, respectively, assigned to them in that Act.

Persons liable to make compulsory deposits.

3. (*1*) Subject to the provisions of this Ordinance, the persons specified in sub-section (2) shall be liable to make compulsory deposits for the assessment year commencing on the 1st day of April, 1975 and the assessment year commencing on the 1st day of April, 1976.

(2) The persons referred to in sub-section (*1*) are the following, namely:—

(*a*) every person, being—

(*i*) an individual, who is a citizen of India;

(*ii*) a Hindu undivided family;

(*iii*) a trustee appointed under a trust declared by a duly executed instrument in writing, whether testamentary or otherwise (including any Wakf deed which is valid under the Mussalman Wakf Validating Act, 1913), if the income in respect of which the trustee is liable to income-tax as a representative assessee or any part thereof is not specifically receivable on behalf or for the benefit of any one person or where the individual shares of the persons on whose behalf or for whose benefit such income or such part thereof is receivable are indeterminate or unknown; and 6 of 1913.

(*b*) every person who is assessable under the Income-tax Act in respect of the total income of an individual, or a Hindu undivided family or a trustee specified in clause (*a*).

Requirement as to compulsory deposit.

4. (*1*) Where, in relation to an assessment year referred to in sub-section (*1*) of section 3, the current income of any person, being an individual or a Hindu undivided family or a trustee specified in clause (*a*) of sub-section (2) of that section, exceeds fifteen thousand rupees, such person, or if any other person is assessable under the Income-tax Act in respect of the total income of such person, the person so assessable, shall make, in accordance with and subject to the provisions of this Ordinance and any scheme framed thereunder, a compulsory deposit for that assessment year at the rates specified in the Schedule.

(2) Where, in the case of any person specified in sub-section (2) of section 3, a deduction is required to be made under the Additional Emoluments (Compulsory Deposit) Ordinance, 1974, the amount of the compulsory deposit which such person is liable to make under this Ordinance for any assessment year shall be reduced by the amount deducted under that Ordinance during the financial year immediately preceding that assessment year; and where such deduction is equal to or exceeds the amount of such compulsory deposit, it shall not be necessary for such person to make a compulsory deposit for that assessment year. 8 of 1974.

(*3*) For the purposes of this section, "current income", in relation to an assessment year, means,—

(*a*) in a case where the Income-tax Officer has made an order under sub-section (*1*) or sub-section (*3*) of section 210 of the Income-tax Act requiring the person to pay advance tax during the financial year immediately preceding that assessment year and the person has not sent an estimate under sub-section (*1*) or sub-section (*2*) or sub-section (*3A*) of section 212 of that Act,—

(*i*) if the total income of the latest previous year in respect of which the person has been assessed by way of regular assessment forms the basis of computation of advance tax payable by him, such total income [exclusive of capital gains and income referred to in sub-clause (*ix*) of clause (*24*) of section 2 of the Income-tax Act] as increased by the net agricultural income, if any, which has been taken into account for the purposes of charging income-tax for the assessment year relevant to that previous year; or

(*ii*) if the total income of the previous year on the basis of which income-tax has been paid by the person under section 140A of the Income-tax Act forms the basis of computation of advance tax, such total income [exclusive of capital gains and income referred to in sub-clause (*ix*) of clause (*24*) of section 2 of the Income-tax Act] as increased by the net agricultural income, if any, returned by the person in the return of income for the assessment year relevant to that previous year;

(*b*) in a case where an estimate is sent by the person under sub-section (*1*) or sub-section (*2*) or sub-section (*3*) or sub-section (*3A*) of section 212 of the Income-tax Act, the total income [exclusive of capital gains and income referred to in sub-clause (*ix*) of clause (*24*) of section 2 of the Income-tax Act] as estimated by him, of the period which would be the previous year for that assessment year, as increased by the net agricultural income, if any, of that period, as estimated by him;

(*c*) in any other case, if the total income of the person, as estimated by him, of the period which would be the previous year for that assessment year exceeds the maximum amount not chargeable to income-tax in his case, such total income [exclusive of capital gains and income referred to in sub-clause (*ix*) of clause (*24*) of section 2 of the Income-tax Act], as increased by the net agricultural income, if any, of that period, as estimated by him.

Explanation.—In this sub-section, "net agricultural income" means the net agricultural income as defined in the Finance Act of the relevant year.

Time for making compulsory deposit.

5. A depositor shall make the compulsory deposit for an assessment year referred to in sub-section (*1*) of section 3,—

(*a*) in a case where such depositor is required to pay advance tax under the Income-tax Act in the financial year immediately preceding that assessment year, at any time (in one sum or in instalments of his choice) before the expiry of the date on which the last instalment of advance tax is payable by him in accordance with the provisions of section 211 or, as the case may be, sub-section (*3A*) of section 212 of that Act;

(*b*) in any other case, at any time (in one sum or in instalments of his choice) before the end of the financial year immediately preceding that assessment year.

Order by Income-tax Officer for compulsory deposit in certain cases.

6. (*1*) If, in relation to an assessment year referred to in sub-section (*1*) of section 3, the correct income of a person falling under clause (*c*) of sub-section (*3*) of section 4 exceeds fifteen thousand rupees and such person has failed to make the compulsory deposit for that assessment year, the Income-tax Officer shall, by order in writing, direct that such person shall make the compulsory deposit with reference to his correct income.

(*2*) For the purposes of this section, "correct income" of a person, in relation to an assessment year, means—

(*i*) in a case where the person has furnished the return of income under section 139 of the Income-tax Act, the total income [exclusive of capital gains and income referred to in sub-clause (*ix*) of clause (*24*) of section 2 of the Income-tax Act] returned by him, as increased by the net agricultural income, if any, returned by him;

(*ii*) in a case where the person has failed to furnish the return of income under section 139 of the Income-tax Act and assessment is made under section 144 of that Act, the total income [exclusive of capital gains and income referred to in sub-clause (*ix*) of clause (*24*) of section 2 of the Income-tax Act] determined on assessment, as increased by the net agricultural income, if any, determined on assessment.

Explanation.—In this sub-section "net agricultural income" has the meaning assigned to it in the *Explanation* to sub-section (*3*) of section 4.

Compulsory deposit to carry simple interest.

7. (*1*) Every compulsory deposit made by or recovered from a depositor shall carry simple interest at a rate equal to the bank deposit rate.

Explanation.—In this sub-section "bank deposit rate" means the highest of the maximum rates at which interest may be paid on different classes of deposits (other than those maintained in savings account or those maintained by charitable or religious institutions) by different classes of scheduled banks in accordance with the directions given or issued to banking companies generally by the Reserve Bank of India under the Banking Regulation Act, 1949. 10 of 1949.

(*2*) The interest shall be calculated in such manner as may be specified in the scheme framed under section 13.

(*3*) For the purposes of the deduction under section 80L of the Income-tax Act, interest received on a compulsory deposit shall be deemed to be interest received on a deposit with a banking company to which the Banking Regulation Act, 1949, applies. 10 of 1949.

Repayment of compulsory deposit.

8. The amount of compulsory deposit made by or recovered from a depositor in any financial year shall be repayable in five equal annual instalments commencing from the expiry of two years from the end of that financial year, together with the interest due on the whole or, as the case may be, part of the amount of the compulsory deposit which has remained unpaid:

Provided that nothing in this section shall prevent earlier repayment of the deposit or any instalment thereof together

with the interest due in any case in which the Income-tax Officer is satisfied that extreme hardship will be caused unless such repayment is made.

Intimation regarding compulsory deposit.

9. Every depositor shall send to the Income-tax Officer along with the return of income for the assessment year for which he is liable to make a compulsory deposit, proof of the fact of such deposit having been made.

Penalty for failure to make compulsory deposit.

10. (*1*) If, in relation to an assessment year referred to in sub-section (*1*) of section 3, any person who is liable to make a compulsory deposit [being a person falling under clause (*a*) or clause (*b*) of sub-section (*3*) of section 4]—

(*a*) has failed to make the compulsory deposit within the time allowed under section 5, or

(*b*) has made the compulsory deposit within such time but the deposit so made falls short of the requisite amount,

the Income-tax Officer shall, by order in writing, direct that such person shall pay, by way of penalty, a sum—

(*i*) which, in the case referred to in clause (*a*), shall be equal to twenty-five per cent. of the compulsory deposit which he is liable to make; and

(*ii*) which, in the case referred to in clause (*b*), shall be equal to twenty-five per cent. of the amount by which the compulsory deposit made by him falls short of the requisite amount.

(*2*) If, in relation to an assessment year referred to in sub-section (*1*) of section 3, the correct income of a person falling under clause (*c*) of sub-section (*3*) of section 4, exceeds fifteen thousand rupees and such person—

(*a*) has failed to make the compulsory deposit within the time allowed under section 5, or

(*b*) has made the compulsory deposit within such time on the basis of his own estimate but the deposit so made is less than seventy-five per cent. of the compulsory deposit which he would have been liable to make on the basis of his correct income.

the Income-tax Officer shall, by order in writing, direct that such person shall pay by way of penalty a sum—

(*i*) which, in the case referred to in clause (*a*), shall be equal to twenty-five per cent. of the compulsory deposit calculated with reference to his correct income; and

(*ii*) which, in the case referred to in clause (*b*), shall be equal to twenty-five per cent. of the amount by which the compulsory deposit made by him falls short of the compulsory deposit calculated with reference to his correct income.

Explanation.—In this sub-section, "correct income" has the meaning assigned to it in sub-section (*2*) of section 6.

(*3*) No order imposing a penalty under this section shall be made against any person unless such person has been heard or has been given a reasonable opportunity of being heard.

Appeals and revision.

11. Any depositor, aggrieved by any order of the Income-tax Officer imposing a penalty under section 10, may appeal to the Appellate Assistant Commissioner and the provisions of the Income-tax Act relating to appeals, reference and revision shall, so far as may be, apply in relation to such order as they apply in relation to an order of the Income-tax Officer imposing a penalty under section 221 of that Act.

Recovery of compulsory deposit and penalty.

12. Any arrear of compulsory deposit and any penalty imposed under this Ordinance shall be recoverable in the manner provided in Chapter XVII-D of the Income-tax Act for the recovery of arrears of tax.

Compulsory Deposit Scheme.

13. (*1*) The Central Government shall, by notification in the Official Gazette, frame a scheme or schemes, to be called Compulsory Deposit (Income-tax Payers) Scheme or Schemes, in relation to compulsory deposits.

(*2*) A scheme framed under sub-section (*1*) may provide for—

(*a*) the manner in which compulsory deposits shall be made;

(*b*) the documents to be issued to persons by whom deposits have been made as evidence of such deposits;

(*c*) the authority or authorities by or through whom the deposits may be collected;

(*d*) the nomination of any person to receive the amount standing to the credit of a depositor in the event of his death or in cancellation or change of such nomination;

(*e*) the issue of duplicate of any document issued as evidence of any deposit in the event of loss or destruction of the original and the fee (not exceeding two rupees) on the payment of which such duplicate may be issued;

(*f*) any other matter which may be necessary or proper for the effective implementation of the scheme.

(*3*) A scheme framed under this section may provide that all or any of its provisions shall take effect either prospectively or retrospectively on such date as may be specified in this behalf in the scheme.

(*4*) Any scheme framed under this section shall have effect notwithstanding anything contained in any law for the time being in force (other than this Ordinance) or any instrument having effect by virtue of any law other than this Ordinance.

Modification, etc. of scheme.

14. The Central Government may, by notification in the Official Gazette, add to, amend, vary or rescind any scheme framed under this Ordinance.

Rounding off.

15. (*1*) The amount of any compulsory deposit shall be rounded off to the nearest multiple of ten rupees and for this purpose any part of a rupee consisting of paise shall be ignored and thereafter if such amount is not a multiple of ten, then, if the last figure in that amount is five or more, the amount shall be increased to the next higher amount which is a multiple of ten and if the last figure is less than five, the amount shall be reduced to the next lower amount which is a multiple of ten.

(*2*) The amount of penalty payable under the provisions of this Ordinance shall be rounded off to the nearest rupee and, for this purpose, where such amount contains a part of

a rupee consisting of paise, then, if such part is fifty paise or more, it shall be increased to one rupee and if such part is less than fifty paise it shall be ignored.

Applicability of Chapter XV of Income-tax Act.

16. The provisions of Chapter XV of the Income-tax Act relating to liability in special cases shall, so far as may be, apply in relation to compulsory deposits and penalties imposable under this Ordinance as they apply in relation to income-tax payable and penalties imposable under that Act.

Protection against attachment.

17. (*1*) The amount of compulsory deposit and interest thereon standing to the credit of any depositor shall not be liable to attachment under a decree or order of any court in respect of any debt or liability incurred by the depositor.

(2) The amount of compulsory deposit and interest thereon standing to the credit of a depositor at the time of his death and payable to his nominee shall vest in the nominee and shall be free from debt or other liability incurred by the deceased or incurred by the nominee before the death of the depositor.

Protection of action taken in good faith.

18. No suit, prosecution or other legal proceeding shall lie against the Government or against any officer of the Government for anything which is in good faith done or intended to be done under this Ordinance or any scheme framed thereunder.

Schemes to be laid before the Houses of Parliament.

19. Every scheme framed under this Ordinance shall be laid, as soon as may be, after it is framed before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the scheme or both Houses agree that the scheme should not be made, the scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that scheme.

Power to remove difficulties.

20. If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order, not inconsistent with the provisions of this Ordinance, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Ordinance.

THE SCHEDULE

[*See* section 4(*1*)]

RATES OF COMPULSORY DEPOSIT

(1) Where the current income exceeds Rs. 15,000 but does not exceed Rs. 25,000—4 per cent. of the current income;

(2) Where the current income exceeds Rs. 25,000 but does not exceed Rs. 70,000—Rs. 1,000 *plus* 6 per cent. of the amount by which the current income exceeds Rs. 25,000;

(3) Where the current income exceeds Rs. 70,000—Rs. 3,700 *plus* 8 per cent. of the amount by which the current income exceeds Rs. 70,000:

Provided that where the current income exceeds Rs. 15,000 but does not exceed Rs. 15,620, the compulsory deposit shall in no case exceed the amount by which the current income exceeds Rs. 15,000:

Provided further that where in the case of any depositor the amount of compulsory deposit calculated in accordance with the foregoing provisions is less than Rs. 100, it shall not be necessary for him to make such deposit.

Explanation.—In this Schedule, "current income" has the meaning assigned to it in sub-section (*3*) of section 4.

V. V. GIRI,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 15816L.A.(P.W.)/II-295/74.—8th August 1974.—Whereas 7·50468 hectares (18·53 acres), more or less, of land, situate in or near the villages of Kolanda and another described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act, for the public purpose of providing facilities for irrigation and drainage, namely, for resuscitation of river Keleghai and its tributories;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provision of sub-sections (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the Office of the Special Land Acquisition Officer, Midnapore.

Description of Land

Mauza Kolanda, jurisdiction list No. 323, police-station Sabong, district Midnapore.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in Acres.	Area in hectares.
503	Middle	·11	·04455
540	South-west corner ..	·01	·00405
541	Middle	·14	·05670
542	Middle	·23	·09315
543	Middle	·095	·03848
545	Middle	·16	·06480
546	Middle	·45	·18225
549	Middle	·20	·08100
555	Southern ..	·41	·16605
640	Southern ..	·09	·03645
682	South west corner ..	·0025	·00102
683	Southern ..	·26	·10530
684	Southern ..	·11	·04455
685	Southern ..	·145	·05872
686	Southern ..	·21	·08505
687	Southern ..	·045	·01822
688	Southern ..	·03	·01215
689	Northern ..	·225	·09112
505/768	Middle	·10	·04050
504/772	Southern ..	·22	·08910

Mauza Koptipur, jurisdiction list No. 324, police-station Sabong, district Midnapore.

Revisional survey plots in full—170, 180, 182, 200, 302, 303, 317, 320, 370, 371, 414, 415, 416, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 443, 444, 447, 459, 460, 461, 472, 498, 522, 521 626, 417/627, 417/628, 522/629, 522/630, 522/631, 522/632, 522/633, 522/634, 270/530, 430/546, 190/555, 200/556, 211/557, 212/558, 229/561, 430/587, 430/588, 417/589, 430/592, 417/593, 417/594, 430/595, 546/596, 500/597, 430/598, 430/599, 417/600, 430/601, 430/602, 430/603, 430/604, 543/605, 417/606, 430/607, 430/608, 430/609, 417/610, 417/611, 430/612, 430/613, 417/614, 417/615, 430/616, 430/617, 417/618, 417/619, 417/620, 522/621, 522/622 413/623, 417/624 and 522/625

Revisional survey plots in part—

Plot No.	Specific portion of the plot	Area in Acre.	Area in hectare.
156	Middle	·27	·10935
157	Southern ..	·04	·01620
169	Southern .	·07	·02835
171	Middle	·0175	·00708
172	Northern ..	·11	·04455
174	Northern ..	·08	·03240
175	Northern ..	·055	·02228
176	Northern ..	·06	·02430
177	Southern ..	·055	·02228
178	Middle	·23	·09315
179	North-east corner ..	·0025	·00101
181	Middle	·34	·13770
183	Southern ..	·04	·01620
190	Southern ..	·14	·05760
191	South-west corner ..	·0025	·00101
192	Southern ..	02	·00810
193	Southern ..	·13	·05265
199	South-east corner ..	·03	·01215
201	North-east corner ..	·03	·01215
212	Southern ..	·07	·02835
213	Southern ..	·03	·01215
225	South-west corner ..	·01	·00405
227	Southern ..	·22	·08910
228	Southern ..	·01	·00405
229	Entire except south-west corner.	·10	·04050
236	South-west corner ..	·10	·04050
239	South-west corner ..	·03	·01215
259	South-west portion	·07	·02835
260	South-west corner ..	015	·00608
268	South-west corner ..	·02	·00810
269	South-west corner ..	01	·00405
271	North-east portion ..	·13	·05265
272	Eastern ..	·10	·04050
274	North-east corner ..	·035	·01417
280	South-west corner ..	·02	·00810
281	South-west corner ..	·005	·00203
289	South-west corner ..	·12	·04860
292	Southern ..	·12	·04860
293	Northern ..	085	·03442
298	Northern ..	·04	·01620
299	Northern ..	0 02	0 00810
300	Northern ..	0 03	0 01215
301	Northern ..	0·07	0·02835
304	South-western ..	0·10	0·04050
305	South-west corner ..	0·005	0·00203
306	Southern ..	0·12	0·04860
307	Northern	0 025	0·01012
315	Northern	0·06	0 02430
316	Northern .	0 04	0 01620
318	Southern ..	0·035	0 01418
319	Southern	0 18	0 07290
321	South-east corner ..	0·005	0 00203
322	Northern ..	0 015	0 00608
327	North-west corner ..	0·0025	0 00101
333	Northern ..	0 005	0 00203
334	Northern .	0·0025	0 00101
336	Northern ..	0 17	0 08885
337	Entire except south-west corner.	0·0675	0 02734
348	North .. .	0·15	0·06075
338	North west corner	0·0025	0·00101
349	South-east portion ..	0·085	0·03442
350	South-east corner .	0·02	0 00810
351	Middle	0·09	0 03645
352	Northern ..	0 08	0 03240
353	Northern ..	0 025	0 01012
360	South-east corner ..	0 015	0·00608
361	South rn .	0 10	0 04050
362	Southern ..	0 0025	0 00101
365	South rn ..	0 06	0 02430
366	Southern	0·16	0 06075
367	Southern ..	0 01	0 00405
368	Southern ..	0·035	0 01418
385	Northern ..	0·08	0·03340
386	Western ..	0·055	0 02227
401	South west corner .	0·01	0 00405
402	Southern	0·02	0·00810
403	Southern	0·015	0·00608
405	South-east corner	0·005	0·00202
411	South rn	0·03	0·01215
412	South rn	0·43	0·17415
413	Southern ..	0·32	0·12960
417	Entire except north-east corner	0·1975	0·07999
420	Southern ..	0·045	0·01822
422	South rn .	0·0025	0 00101
433	Southern .	0·07	0·02835
442	South rn	0·05	0 02025
445	South rn .	0·025	0 01012
448	South rn ..	0·115	0 04658
449	Southern	0·04	0 01620
457	South-east corner	0·0025	0 00101
458	Southern	0·055	0 02228
462	Southern	0·14	0 05670
463	Southern	0 0025	0 00101
470	South-east corner	0 0025	0·00101
471	South rn	0 11	0 04455
473	Southern	0·18	0 07290
476	South-east corner	0 01	0 00405
496	North-west corner .	0 02	0 00810
499	South rn	0 0025	0 00101
500	Southern	0·015	0 00608
501	South rn	0 01	0 00405
502	Southern	0 01	0 00405
503	South rn	0 01	0 00405
512	Southern	0 03	0 01215
519	Southern	0·04	0 01620
521	Southern	0·18	0 07290
523	South rn	0·06	0 02430
292/536	Northern .	0·05	0 02025
292/539	North-east corner	0·02	0 00810
182/553	North-east corner .	0·025	0·01012

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
182/554	Northern ..	0·0975	0·03949
497	Northern ..	0·09	0·03645
227/559	Northern ..	0·07	0·02835
229/562	Southern ..	0·0375	0·01519
229/563	Entire except north-west corner.	0·09	0·03645
229/566	North-west corner	0·01	0·00405
430/560	Northern ..	0·08	0·03240
430/570	South-east corner ..	0·03	0·01215
430/571	Entire except north-east corner.	0·12	0·04860
430/572	Southern ..	0·02	0·00810
430/573	Southern ..	0·02	0·00810
417/576	Southern ..	0·03	0·01215
417/578	Southern ..	0·02	0·00810
430/581	Southern ..	0·01	0·00405
417/582	Southern ..	0·10	0·04050
430/584	South-east portion	0·05	0·02025
417/585	Entire except north-west corner.	0·29	0·11745
430/586	Entire except north-west corner.	0·0375	0·01518

By order of the Governor.

S. GHOSH,

Spl. Officer and Dy Secy. (ex-officio)
to the Government of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Closed and Sick Industries Department

NOTIFICATIONS

No. 2841-C.S.I. — 9th August 1974. — In exercise of the power conferred by clause (a) of section 2, read with section 3, of the Basumati Private Limited (Acquisition of Undertaking) Act, 1974 (Act XXXV of 1974), the Governor is pleased hereby to appoint the ninth day of August 1974, as the date on and from which the Undertaking of the Basumati Private Limited shall, by virtue of the said Act, stand transferred to, and vest in, the State Government free from all trusts, liabilities and encumbrances.

By order of the Governor,

A. BOSE,

Spl. Officer and ex-officio Secy. to the Govt. of West Bengal.

No. 2842-C.S.I.—9th August 1974.—In exercise of the power conferred by section 5 of the Basumati Private Limited (Acquisition of Undertaking) Act, 1974 (Act XXXV of 1974), the Governor is pleased hereby to nominate, until further orders, Shri Kedar Ghosh, son of late Shri M. K. Ghosh, of 68/5C Ballygunge Place, Calcutta-19, as the person by whom the undertaking of Basumati Private Limited, which has vested in the State Government under section 3 of the said Act, shall be managed.

By order of the Governor,

A. BOSE,

Spl. Officer and ex-officio Secy.
to the Govt. of West Bengal.

No. 2844-C.S.I.—9th August 1974.—The Governor is pleased to appoint until further orders Shri Kedar Ghosh, son of late Shri M. K. Ghosh, nominated under section 5 of the Basumati Private Limited (Acquisition of Undertaking) Act, 1974, to the temporary post of Administrator of the undertaking of the Basumati Private Limited and Chief Editor. Basumati publications.

By order of the Governor,

A. BOSE,

Spl. Officer and ex-officio Secy.
to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

HOWRAH.—No. 16010L.A.(P.W.)/1I-336/74.—9th August 1970.—Whereas 14·1639 hectares (35·00 acres), more or less, of land situated in or near the village of Kendua described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for Purana Khal Drainage Scheme (Kendua Beel);

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Howrah.

Description of the land

Mauza Kendua, jurisdiction list No. 192, police-station Amta, district Howrah.

Revisional survey plots in full—14, 39, 92, 93, 406, 410, 479, 483, 633, 756 and 770.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
7	Eastern ..	0·22	0·0890
15	Eastern ..	0·08	0·0324
25	Eastern ..	0·04	0.0162
26	Eastern ..	0·09	0·0364
27	Eastern ..	0.07	0.0283
36	Middle ..	1.03	0·4169
37	Eastern ..	0·33	0.1335
38	Middle ..	2·08	0.8417
40	Western ..	0.11	0·0445
41	Western ..	0.03	0.0121
42	Western ..	0.01	0·0040
43	Western ..	0.02	0·0081
86	Western ..	0.35	0·1416
87	Eastern ..	0·40	0·1619
89	Eastern ..	0·03	0·0121
90	Western ..	0·52	0.2104
94	Eastern ..	0·065	0·0263
95	Eastern ..	0·08	0·0324
97	Western ..	0·45	0.1821
99	Eastern ..	0·005	0·0020
407	Middle	0·84	0·3400
411	Eastern ..	0·10	0·0405
424	Eastern ..	0·11	0·0445
425	Middle	1·68	0·6800
465	Western ..	0·02	0·0081
473	Western ..	0·01	0·0040
474	Western ..	0·07	0·0283
475	Eastern ..	1·05	0·4249
478	Eastern ..	0·12	0·0486
480	Western ..	0·06	0·0243
481	North-west corner ..	0·01	0·004)

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
482	Middle ..	0·50	0·2023
484	Eastern ..	0·22	0·0890
549	Eastern ..	0·40	0·1619
550	Eastern ..	0·03	0·0121
551	Middle ..	0·90	0·3642
552	Western ..	1·20	0·4856
553	Western ..	0·61	0·2469
634	Eastern ..	0·30	0·1214
636	Eastern ..	0·64	0·2590
670	South-east corner ..	0·01	0·0040
671	Southern ..	0·15	0·0607
675	Eastern ..	1·25	0·5059
676	Western ..	0·11	0·0445
677	Western ..	0·17	0·0688
678	Western ..	0·26	0·1052
734	Middle ..	0·53	0·2146
736	Western ..	0·30	0·1214
737	Western ..	0·10	0·0405
738	Western ..	0·11	0·0445
739	Western ..	0·31	0·1254
740	Middle ..	1·36	0·5505
741	Southern ..	0·22	0·0890
742	Southern ..	0·09	0·0364
748	South-east corner ..	0·01	0·0040
753	Eastern ..	0·33	0·1335
754	Western ..	0·07	0·0283
755	Western ..	0·27	0·1093
757	Eastern ..	0·18	0·0728
758	Eastern ..	0·56	0·2266
762	Eastern ..	0·015	0·0061
763	Eastern ..	0·09	0·0364
764	Eastern ..	0·13	0·0526
765	Eastern ..	0·035	0·0142
766	Eastern ..	0·08	0·0324
767	Eastern ..	0·07	0·0283
769	Eastern ..	0·61	0·2469
771	Excluding 0·04 acre in south-east corner.	0·42	0·1700
772	Northern ..	0·18	0·0728
773	Northern ..	0·15	0·0607
774	North-west corner ..	0·01	0·0040
776	Western ..	0·48	0·1942
777	Western ..	0·34	0·1376
862	Middle ..	1·06	0·4290
864	Eastern ..	0·01	0·0040
865	Middle ..	0·64	0·2590
866	Middle ..	0·38	0·1538
867	Eastern ..	0·32	0·1295
868	Excluding 0·03 in north.west corner.	0·59	0·2388
869	Western ..	0·90	0·3642
872	Middle ..	1·67	0·6758
875	Western ..	1·71	0·6920
899	Eastern ..	0·06	0·0243

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF POWER

NOTIFICATIONS

No. 4187-Power. — 9th August 1974. — The Governor is pleased hereby to cancel with effect from the 12th August 1974, the restrictions imposed under this Department notification No. 6950-Power. dated the 30th December 1972, published at pages 4 to 17 of the "Calcutta Gazette, Extraordinary", dated the 2nd January 1973, as extended from time to time, on the use of electricity by the consumers of the Calcutta Electric Supply Corporation Limited.

By order of the Governor,
C. N. PENN ANTHONY,
Commissioner and Secy. to the Govt. of West Bengal.

No. 4188-Power. — 9th August 1974. — The Governor is pleased hereby to cancel with effect from the 12th August 1974, the restrictions imposed under this Department notification No. 6951-Power, dated the 30th December 1972, published at pages 17 to 25 of the "Calcutta Gazette, Extraordinary", dated the 2nd January 1973, as extended from time to time, on the use of electricity by the consumers of the West Bengal State Electricity Board.

By order of the Governor,
C. N. PENN ANTHONY,
Commissioner and Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 16020 L. A. (P.W.)/11-217/74.—9th August 1974.—Whereas 10·5627 hectares (56·10 acres), more or less, of land situate in or near the villages of Hamirpur and another described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for Dubda Basin Drainage Scheme;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the Office of the Special Land Acquisition Officer, Midnapore.

Description of the land

Mauza Hamirpur, jurisdiction list No. 23, police-station Ramnagar, district Midnapore

Cadastral survey plots in full—34, 35, 38, 39, 40' 41, 42, 43, 44, 47, 102, 103, 108, 104, 105, 106, 107' 109, 110, 111, 113, 125, 287, 288, 289, 290, 291, 292' 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303' 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314' 324, 325, 326, 327, 328, 329, 330, 331, 334, 402, 403' 423, 424, 425, 427, 428, 429, 430, 431, 432, 433, 435' 436, 437, 438, 439, 440, 442, 443, 447, 451, 452, 453' 454, 457, 459, 460, 461, 462, 463, 466, 467, 470, 483' 485, 486, 487, 488, 489, 1021, 1022, 1023, 1024, 1025' 1026, 1027, 1028, 1029, 1030, 1034, 1036, 1037, 1040' 1041, 1042, 1045, 1046, 1047, 1048, 1049, 429/1051' 1049/1062, 1049/1063, 460/1066, 287/1060, 434/1067' 307/1070, 414/1084, 124/1090, 49/1099, 110/1082, 441/1109, 447/1111, 487/1112, 487/1113 and 487/1114.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
17	Eastern ..	..	·14	·05670
18	North-eastern	..	·08	·03240
31	Northern ..	..	·31	·12555
32	Northern ..	..	·32	·19960
36	North-eastern	..	2·15	·87085

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
37	Entire except north-east corner.	1·28	·51840
45	Western	1·32	·53460
46	Western	·24	·09720
48	South-western ..	·01	·00405
49	Western	·85	·34425
97	Western	·14	·06570
98	Western	·09	·03645
99	South-western ..	·01	·00405
100	Western	·05	·02025
101	Western	·02	·00810
112	North-eastern ..	·83	·33615
114	North-eastern ..	·05	·02025
123	North-eastern ..	·02	·00810
280	North-eastern ..	·06	·02430
285	North-eastern ..	·18	·07290
286	North-eastern ..	·13	·05265
315	North-western ..	·16	·06480
321	Western	·38	·15390
322	Western	·09	·03645
323	Western	·03	·01215
332	Entire except north-western corner.	·20	·08100
333	Western	·06	·02430
335	South-western corner ..	·01	·00405
401	South-western ..	·31	·12555
404	South-western ..	·43	·17415
418	South-western ..	·01	·00405
419	South-western ..	·26	·10530
422	South-western ..	·14	·05670
441	Western	·03	·01215
444	South-western ..	·02	·00810
465	North-eastern ..	·16	·06480
469	North-eastern ..	·27	·10935
471	North-eastern ..	·02	·00810
481	North-eastern corner ..	·01	·00405
482	North-eastern ..	·02	·00810
490	North-eastern ..	·72	·29160
491	North-eastern ..	·18	·07890
492	North-eastern ..	·01	·00405
973	Western	·08	·03240
974	North-western ..	·60	·24300
1016	North-eastern ..	·15	·06075
1017	Eastern	·14	·05670
1018	Eastern	·14	·05670
1019	Eastern	·04	·01620
1020	Northern	·13	·05265
1031	North-western ..	·49	·19845
1033	Western	·22	·08910
1039	Eastern	·19	·07695
431/1050	Western	·04	·01620
49/1075	North-eastern ..	1·28	·41845
124/1090	North-eastern ..	·17	·06885
74/1096	South, north and western	·46	·18630
49/1098	Northern ..	·64	·25920
49/1100	Western ..	·48	·19440
49/1101	Western ..	·84	·34020
441/1110	Western ..	·01	·00405

Mauza Baranga, jurisdiction list No. 24, police-station Ramnagar, district Midnapore

Revisional survey plots in full—828, 830, 832, 83: and 836.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
827	Western	·07	·02835
829	South-western ..	·06	·02430
837	South-western ..	·05	·02025
849	South-western ..	·06	·02430

By order of the Governor,

S. GHOSH,

Spl. Officer and Ex. Secy. (ex-officio) to the Govt. of West Bengal.

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PART IA—Orders and notifications of the Government of India, Statutory notifications of the Election Commission, India, and other Election notifications published for general information. Orders and notifications which have originally been published in the "Gazette of India" are only republished.

রাজ্যসভা সচিবালয়

নিদর্শ নং ৫

ভারতের রাষ্ট্রপতি পদের জন্য নির্বাচন

প্রতিদ্বন্দ্বী প্রার্থীদের তালিকা

ক্রমিক নং	প্রার্থীদের নাম	প্রার্থীদের ঠিকানা
১।	শ্রীফক্রুদ্দিন আলি আহ্মেদ	১ ওয়েলিংটন ক্রিসেন্ট, নয়াদিল্লী-১১০০০১
২।	শ্রীত্রিদিব চৌধুরী	৩০ জনপথ, নয়াদিল্লী-১

নয়াদিল্লী
আগষ্ট ২, ১৯৭৪

বি, এন, ব্যানার্জী
মহা-সচিব, রাজ্যসভা
এবং নির্বাচন আধিকারিক,
রাষ্ট্রপতি নির্বাচন।

RAJYA SABHA SECRETARIAT

FORM 5

Election to the Office of President of India

LIST OF CONTESTING CANDIDATES

Sl. No.	Name of candidate	Address of candidate
1.	Shri Fakhruddin Ali Ahmed	1 Willingdon Crescent, New Delhi-110001.
2.	Shri Tridib Chaudhuri	30 Janpath, New Delhi-1.

B. N. BANERJEE,
Secretary-General, Rajya Sabha and Returning Officer for the Presidential Election.

New Delhi,
August 2, 1974.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4775-F.T.—9th August 1974.—The following draft of amendment which, in exercise of the power conferred by section 23 of the West Bengal Taxes on Entry of Goods in Local Areas Act, 1962 (West Ben. Act XX of 1962), the Governor proposes to make in the West Bengal Taxes on Entry of Goods in Local Areas Rules, 1955, as subsequently amended hereinafter referred to as the said rules), is hereby published, as required by sub-section (1) of the said section, for the information of persons likely to be affected thereby.

The draft will be taken into consideration on or after the 14th August 1974, and any objection or suggestion with respect thereto, which may be received by the undersigned before that date, will be duly considered.

Draft amendment

In sub-rule (1) of rule 10 of the said rules, for the words, "and three months in respect of tea" substitute the words, "and three months in respect of tea or jute".

By order of the Governor,

K. BANERJEE,

Dy. Secy. to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4298/M2A-15/73.—7th August 1974.—Whereas Government in their Notification No. 7019/M2R-15/71, dated 22nd December 1971, published at page 2590(4) of Part I, of the "Calcutta Gazette, Extraordinary" of the 30th December 1971, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the South Dum Dum Municipality in the district of 24-Parganas shall have an Executive Officer for a period up to the 31st December 1972 from the date on which the Executive Officer assumes charge of his office;

And whereas in Notifications No. 5441/M2A-15/71(Pt. I), dated the 21st December 1972, No. 1411/M2A-15/73(Pt. I), dated the 24th April 1973, No. 4355/M2A-15/73(Pt. I), dated the 1st November 1973 and No. 404/M2A-15/73(Pt. I), dated the 19th February 1974, the said period of appointment was extended up to the 31st July 1974.

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct to that Shri Atindra Kumar Mitra, a retired Inspector of Registration Offices, Presidency Division, shall continue as the Executive Officer of the South Dum Dum Municipality, till he is relieved by Shri B. K. Sinha, W.B.J.C.S. (Retd.) or any other officer to be appointed in place of Shri Sinha during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 3220/M2A-8/73 dated the 5th September 1973.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MALDA.—No. 16015L.A. (P.W.) 1I/299/74.—9th August 1974.—Whereas 8·2657 hectares (22·45 acres), more or less, of land situate in or near the villages of Chandrapara and Baharabad described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition Act, 1948 by the person authorised under section 3(IA) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for the Construction of Mahananda Embankment scheme Barsai Branch (section 13th to 14th Kilometre);

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Malda.

Description of the land

Mauza Chandrapara, jurisdiction list No. 189, police-station Kharba, district Malda.

Cadastral survey plots in full—509, 530, 537, 538, 573, 574, 577, 1879 and 1880.

Cadastral survey plots in parts—

Plot No.	Specific portion of the plot.		Area in hectare.	Area in acre.
214	Eastern	..	·1133	0·28
215	Eastern	..	·0647	0·16
495	Eastern	..	·0041	0·01
496	Eastern	..	·0405	0·10
497	Eastern.	..	·0728	0·18
507	Eastern	..	·1093	0·27
508	Eastern	..	·1174	0·29
510	Western	..	·2023	0·50
511	Western	..	·0405	0·10
512	Western	..	·0081	0·02
513	Eastern	..	·5226	1·29
514	Eastern	..	·1619	0·40
515	Eastern	..	·0647	0·16
522	Eastern	..	·0020	0·005
523	Eastern	..	·0041	0·01
528	Eastern	..	·0243	0·06
529	Eastern	..	·1659	0·41
531	Western	..	·1862	0·46
532	Western	..	·0121	0·03
535	Western	..	·0121	0·03
536	Western	..	·1538	0·38
539	Western	..	·2266	0·55
547	Western	..	·0121	0·03
548	Western	..	·1612	0·40
549	Eastern	..	·3844	0·95
550	Eastern	..	·3440	0·85
551	Eastern	..	·2064	0·51
570	Eastern	..	·0020	0·005
571	Eastern	..	·0041	0·01
572	Eastern	..	·0121	0·03
575	Eastern	..	·1578	0·39
576	Eastern	..	·1578	0·39

Plot No.	Specific portion of the plot.		Area in hectare.	Area in acre.
578	Western	..	·1902	0·47
579	Western	..	·0526	0·13
580	Western	..	·5747	1·42
581	Eastern	..	·1619	0·40
582	Middle	..	·5706	1·41
583	Western	..	·0041	0·01
623	Western	..	·1295	0·32
1847	Western	..	·0243	0·06
1848	Western	..	·0647	0·16
1849	Western	..	·0162	0·04
1850	Southern	..	·1214	0·30
1851	Northern	..	·0101	0·02
1867	Northern	..	·0081	0·02
1868	Middle	..	·0767	0·19
1874	Middle	..	·3076	0·76
1875	Western	..	·0728	0·18
1876	Western	..	·0567	0·14
1878	Western	..	·0202	0·05
1881	Western	..	·2469	0·61
1886	Western	..	·0141	0·035
1888	Western	..	·0081	0·02

Mauza Baharabad, J. L. No. 187, police-station Kharba, district Malda.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in hectare.	Area in acre.
1039	North-eastern	..	·1740	0·43
1040	Eastern	..	·0526	0·13
1041	Eastern	..	·3157	0·78
1043	Western	..	·0607	0·15
1044	Western	..	·0324	0·08
1045	Western	..	·0607	0·15
1276	Western	..	·0769	0·19
1277	Western	..	·0081	0·02
1279	Western	..	·1862	0·46

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio)
to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

OFFICE OF THE COMMISSIONER OF POLICE, CALCUTTA

ORDERS

Whereas information has been received from credible sources that violent demonstrations are likely to take place resulting in large-scale disturbances of the public tranquillity and breach of the peace in the area mentioned in the Schedule below in the town of Calcutta (hereinafter referred to as the said area);

And whereas I, S. C. Chaudhuri, Commissioner of Police, Calcutta, being an Executive Magistrate for the Metropolitan Area of Calcutta, have been specially empowered by the State Government under Notification No. 2504-G.A., dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974);

And whereas, in my opinion, there is sufficient ground for proceeding under the said section for immediate prevention of disturbances of the public tranquillity and breach of the peace within the said area in the town of Calcutta;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), read with sub-section (3) of the said section, I, the said S. C. Chaudhuri, Commissioner of Police, Calcutta, and an Executive Magistrate for the Metropolitan area of Calcutta, do hereby prohibit from the Tenth day of August 1974, until further orders, any assembly of five or more persons, or any procession, or the carrying of any lathis or other dangerous weapons, or the doing of any act which is likely to cause a disturbance of the public tranquillity and breach of the peace within the said area in the town of Calcutta.

The Schedule

The area within the jurisdiction of Hare Street Police Station in the town of Calcutta bounded—

(1) On the North by—Fairlie Place and India Exchange Place (India Exchange Place being excluded);

On the South by—Saheed Khudiram Bose Road and Rani Rashmoni Avenue (the portion of Rani Rashmoni Avenue from its crossing with Chowringhee Road up to Government Place East being excluded);

On the East by—Brabourne Road, Dalhousie Square East, Old Court House Street and Government Place East (the roads being included); and

On the West by—Strand Road (the road being excluded).

(2) Lalbazar Street [The street and footpaths on both sides included which extended from Dalhousie Square East to Rabindra Sarani (Lower Chitpore Road)].

Explanation: In this Order, the "Town of Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866 (Bengal Act IV of 1866).

Given under my hand and seal this the Tenth day of August 1974.

S. C. CHAUDHURI,

Commissioner of Police, Calcutta,

And

Executive Magistrate for the Metropolitan Area of Calcutta.

I, S. C. Chaudhuri, Commissioner of Police, Calcutta, being an Executive Magistrate for the Metropolitan area of Calcutta, specially empowered by the State Government under Notification No. 2504-G.A., dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), **hereby relax**, as a special case, in exercise of the power conferred by sub-section (4) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), my prohibitory orders passed on the 10th August 1974, now in force, in respect of the site at the foot of the statue of Saheed Khudiram Bose only on Saheed Khudiram Bose Road, Calcutta, within the jurisdiction of Hare Street Police Station in the Town of Calcutta, in order to permit a public meeting there on the occasion of the death anniversary of Saheed Khudiram Bose only between 08.00 hours and 12.00 hours on the 11th August 1974.

Given under my hand and seal this the 10th day of August 1974.

S. C. CHAUDHURI,

Commissioner of Police, Calcutta,

And

Executive Magistrate for the Metropolitan Area of Calcutta.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 9431-WT/T-67/73.—8th August 1974.—The following draft of an amendment which, in exercise of the powers conferred by sub-section (1) and, in particular, by clause (za) of sub-section (2) of section 68, read with sub-section (5) of section 44, of the Motor Vehicles Act, 1939 (Act 4 of 1939), the Governor proposes to make in the Bengal Motor Vehicles Rules, 1940, published with notification No. 1930-Pl., dated the 21st September 1940, at pages 2655-2829 of Part I of the "Calcutta Gazette", of the 10th October 1940, as subsequently amended (hereinafter referred to as the said rules), is hereby published as required by sub-section (1) of section 133 of the said Act, for the information of persons likely to be affected thereby.

The draft will be taken into consideration on or after the 30th September 1974 and any objection or suggestion with respect thereto, which may be received by the undersigned before that date, shall be considered.

Draft amendment

In sub-rule (i) of rule 54 of the said rules after clause (11), insert the following clause, namely:

"(12) the cancellation of permits under sub-rule (a) of rule 78 of these rules".

By order of the Governor,

D. CHAKRABARTI,

Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Audit

NOTIFICATION

No. 7659-F.—6th August 1974.—In exercise of the power conferred by the proviso to article 309 of the Constitution of India, the Governor is pleased hereby to make the following amendments in the rules for the regulation of recruitment to the Clerical Services of the Secretariat and certain other offices of the Government of West Bengal published with this department notification No. 2083-F/F/1S-8(30)/54, dated the 21st July 1954, as subsequently amended which shall be deemed to have always been inserted (hereinafter referred to as the said rules), namely:—

Amendment

In the said rules, below rule 7 insert the following provision which shall be deemed to have always been inserted, namely:—

"Provided that this rule shall not apply or shall not be deemed ever to have applied in the cases of appointments excluded from the purview of the Public Service Commission by the regulation promulgated in Finance Department Notification No. 4300-F, dated 19th December 1967."

By order of the Governor,
A. K. MUKERJI,
Spl. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 4307/M3P-87/72.—9th August 1974.—Whereas Government in their Order No. 1770/M3P-87/72, dated the 17th May 1973, published at pages 1617-1618 of the "Calcutta Gazette, Extraordinary", dated the 17th May 1973, issued an order under section 553 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), superseding the Commissioners of the Cooch Behar Municipality in the district of Cooch Behar for a period of one year with effect from 18th May 1973;

And whereas by subsequent Government Order No. 868/M3P-87/72, dated 3rd April 1974, the said period of supersession of the Commissioners of the said municipality was extended up to the 31st July 1974;

And whereas in the opinion of the Governor the extension of the said period of supersession for a further term is necessary;

Now, therefore, in exercise of the power conferred by sub-section (2) of section 553 of the said Act, the Governor is hereby pleased to extend further the term of supersession of the Commissioners of the Cooch Behar Municipality for the period up to the 31st March 1975.

2. In exercise of the powers conferred by clause (bb) of sub-section (1) of section 554 of the said Act, and the first proviso to the said clause, the Governor is further pleased hereby to direct that the powers and duties referred to in the said clause shall, for this extended period of supersession of the Commissioners of the Cooch Behar Municipality, be exercised and performed by Shri S. R. Bhowmik, Executive Officer, Zilla Parishad, Cooch Behar, in addition to his own duties, until further orders.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

NOTIFICATION

No. 4308/M1M-60/72-Pt. III.—9th August 1974.—In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act and in partial modification of Notification No. 3305/M1M-60/72-Pt. III, dated the 10th July 1974, read with Notification No. 4239/M2A-51/72-Pt. III, dated the 31st July 1974, the Governor is pleased to appoint Shri R. K. Maitra, Deputy Magistrate and Deputy Collector, Barasat, to be the Executive Officer of the Bhatpara Municipality in the district of 24-Parganas, in addition to his own duties with effect from the date he assumes charge of the Bhatpara Municipality and till he is relieved by Shri J. M. Das Biswas, W.B.C.S. (retd.) or by any other officer to be appointed hereafter, and to confer and impose on him the same powers and duties of the Chairman and the Commissioners of the Bhatpara Municipality as were conferred and imposed upon the Executive Officer of the said Municipality in Notification No. 4501/M1M-60/72, dated the 30th September 1972.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

IRRIGATION AND WATERWAYS DEPARTMENT

NOTIFICATION

No. 11-I.—12th August 1974. — Whereas the Governor is of opinion that lands in the area included within the boundaries specified in Part II of the Schedule below (hereinafter referred to as the said area) have been benefited or are likely to be benefited by irrigation during the kharif season by the water supplied from the irrigation work namely, the Kangsabati Reservoir Project in the districts of Bankura, Midnapore and Hooghly, the full description whereof is stated in Part I of the Schedule below;

And whereas an ordinance, namely, the West Bengal Irrigation (Imposition of Water Rate) Ordinance, 1974 (West Ben. Ord. No. VII of 1974) (hereinafter referred to as the said Ordinance) providing for a simplified procedure for imposition, assessment and collection of water rates in respect of lands benefited or likely to be benefited by irrigation during different cultivation seasons by water supplied from any irrigation work has since been promulgated by the Governor;

Now, therefore, in exercise of the power conferred by section 4 read with sub-section (1) of section 5 of the said Ordinance, and in supersession of all orders made under the Bengal Irrigation Act, 1876 (Ben. Act III of 1876) determining the rates to be charged for canal water supplied for purposes of irrigation of any land in the said area, the Governor is pleased hereby to declare its intention to impose with effect from 1st day of July, 1974, in the said area a water rate for kharif season every year.

Any person interested in any land likely to be affected by such imposition of the water rate may, within a period of thirty days from the date of publication of this notification in the "Calcutta Gazette", prefer objection to the State Government against the intended imposition of the water rate or inclusion of such land in the said area.

THE SCHEDULE

Part I—Description of the irrigation work

The Kangsabati Left Bank Canal system of a total length of 301 miles and 1,458 ft. of Main and Branch Canals consisting of :

(1) 6 miles 770 ft. of the Left Bank Feeder Canal (hereafter described as Left Bank Feeder Canal) from the offtake at Kangsabati Dam on the Left Bank of river Kangsabati in mauza Peripathar, jurisdiction list No. 173, police-station Khatra, district Bankura, up to its tailend at Chainage 324.50 in mauza Chandania, jurisdiction list No. 196, police-station Khatra, district Bankura.

(2) 13 miles 510 ft. of the Khatra Main Canal (Upper) (hereafter described as K.M.C.-U) from its offtake at Chainage 324.50 of L.B.F.C. in mauza Chandania, jurisdiction list No. 196, police-station Khatra, district Bankura, up to its tailend at Chainage 691.50 in mauza Chotoamlator,

jurisdiction list No. 41, police-station Simlapal, district Bankura.

(3) 8 miles 4,760 ft. of the Khatra Main Canal (Lower) (hereafter described as K.M.C.-L) from its offtake at Chainage 691.50 of jurisdiction list No. 41, police-station Simlapal, district Bankura, up to its tailend at Chainage 470.00 in police-station Kayma, jurisdiction list No. 215, police-station Raipur, district Bankura.

(4) 39 miles 4,680 ft. of the Garbeta Branch Canal (hereafter described as G.B.C.) from its offtake at Chainage 470.00 of K.M.C.-L in mauza Kayma, jurisdiction list No. 215, police-station Raipur, district Bankura, up to its tailend at Chainage 2106.00 in mauza Jhakra, jurisdiction list No. 235, police-station Chandrakona, district Midnapore.

(5) 38 miles 2,760 ft. of the Midnapore Branch Canal (hereafter described as M.B.C.) from its offtake at Chainage 32.50 of G.B.C. in mauza Metyal, jurisdiction list No. 59, police-station Garbeta, district Midnapore, upto its tailend at Chainage 2034.00 in mauza Kamalapur, jurisdiction list No. 253, police-station and district both Midnapore.

(6) 28 miles 2,360 ft. of Goaltore Branch Canal (hereafter described as Goaltore Branch Canal from its offtake at Chainage 227.00 of Garbeta Branch Canal in mauza Adulia, jurisdiction list No. 39, police-station Garbeta, district Midnapore, up to its tailend at Chainage 1502.00 in mauza Jagannathpur, jurisdiction list No. 363, police-station Salboni district Midnapore.

(7) 16 miles 170 ft. of Salboni Branch Canal (hereafter described as Salboni Branch Canal) from its offtake at Chainage 445 of M.B.C. in mauza Jangal Khas (jurisdiction list No. 688), police-station Garbeta, district Midnapore, up to its tailend at Chainage 846.50 in mauza Dhansole (jurisdiction list No. 408), police-station Salboni, district Midnapore.

(8) 8 miles 3,060 ft. of Keshpur Branch Canal (hereafter described as Keshpur Branch Canal) from its offtake at Chainage 327.80 of Salboni Branch Canal in mauza Ashnabani (jurisdiction list No. 272), police-station Salboni, district Midnapore, up to its tailend at Chainage 453 in mauza Bhalukchati (jurisdiction list No. 450), police-station Salboni, district Midnapore.

(9) 11 miles 1,920 ft. of Supur Main Canal (hereafter described as S.M.C.) from its offtake at Chainage 324.50 of L.B.F.C. in mauza Ladison (jurisdiction list No. 195), police-station Khatra, district Bankura, up to its tailend at Chainage 600.00 in mauza Debidia (jurisdiction list No. 86), police-station Indpur, district Bankura.

(10) 5 miles 5,100 ft. of Indpur Main Canal (hereafter described as I.M.C.) from its offtake at Silabati Barrage on the Left Bank of river Silabati, in mauza Kadamdeuli (jurisdiction list No. 98), police-station Khatra, district Bankura, up to its tailend at Chainage 315.00 in mauza Kurpa (jurisdiction list No. 171), police-station Indpur, district Bankura.

(11) 18 miles 3,060 ft. of Simlapal Branch Canal (hereafter described as S.B.C.) from its offtake at Chainage 317.80 of I.M.C. on the right side in mauza Kurpa (jurisdiction list No. 171), police-station Indpur, district Bankura, up to its tailend at Chainage 981.00 in mauza Jamirdiha (jurisdiction list No. 135), police-station Simlapal, district Bankura.

(12) 38 miles 3,148 ft. of Bishnupur Branch Canal (hereafter described as B.B.C.) from its offtake at Chainage 317.80 of I.M.C. on the left side in mauza Kurpa (jurisdiction list No. 171), police-station Indpur, district Bankura, up to its tailend at Chainage 2037.88 in mauza Basudevpur (jurisdiction list No. 35), police-station Bishnupur, district Bankura.

(13) 33 miles 1,060 ft. of Kotulpur Branch Canal (hereafter described as K.B.C.) from its offtake at Chainage 2037.30 of B.B.C. in mauza Basudevpur (jurisdiction list No. 35), police-station Bishnupur, district Bankura, up to its tailend at Chainage 1753.50 in mauza Badla (jurisdiction list No. 114), police-station Goghat, district Hooghly.

(14) 33 miles 5,060 ft. of Ghatal Branch Canal (hereafter described as Goaltore Branch Canal) from its offtake at Chainage 2,015.50 of B.B.C. in mauza Bashudevpur (jurisdiction list No. 35), police-station Bishnupur district Bankura, up to its tailend at Chainage 1,793.00 in mauza Pursuli (jurisdiction list No. 181), police-station Khirpai, district Midnapur.

Part II—Boundaries of the area

Starting from the point where L.B.F.C. enters mauza Tetulchita (jurisdiction list No. 183), police-station Khatra, district Bankura, the areas lying between the Left Bank of River Kangsabati moving in a south-eastern direction and then in eastern direction crossing Adra-Kharagpur Railway Line and ending in mauza Jagul (jurisdiction list No. 281), then moving towards north bounded on the east by the Mauzas Dharampur (jurisdiction list No. 287), Hagrabchak (jurisdiction list No. 286), Chak Daulat (jurisdiction list No. 185), Gachhegrya (jurisdiction list No. 283), Kalinagar (part) (jurisdiction list No. 274), Keusi (jurisdiction list No. 269), Binpur (jurisdiction list No. 270), police-station Midnapore, district Midnapore, Narsingpur (jurisdiction list No. 605), Baishnabchak (jurisdiction list No. 604), Bruto (jurisdiction list No. 600), Janrim (jurisdiction list No. 598), Tentulmuri (part) (jurisdiction list No. 596), police-station Keshpur, district Midnapore, up to river Parang then moving along river Parang towards West up to Adra-Kharagpur Railway Line in mauza Khahemduli (jurisdiction list No. 492), police-station Salboni, then following and bounded on the east by the said Railway Line towards the north up to mauza Tilakhaul (jurisdiction list No. 400), police-station Salboni, district Midnapore, then following the course of river Tamal and bounded on the south by

the said river up to confluence of rivers Kubai and Tamal in mauza Tapunia (jurisdiction list No. 343), police-station Keshpur, district Midnapore, then following the course of river Kubai and bounded on the north-east by the said river at first in a northern direction up to mauza Garurbag (jurisdiction list No. 31), police-station Keshpur, district Midnapore, and then in a north-western direction up to Adra-Kharagpur Railway Line at mauza Kurulganj (jurisdiction list No. 456), police-station Garbeta, district Midnapore, then moving along the Garbeta-Midnapore Roads towards north up to mauza Kiabari (jurisdiction list No. 659), police-station Garbeta, district Midnapore, then moving towards east bounded on south by mauzas Gadamsuli (jurisdiction list No. 658), and Guaphele (jurisdiction list No. 657), police-station Garbeta, district Midnapore, then following the course of Denaikhal and bounded on the south by the said Dansi Khal up to mauza Hansukha (jurisdiction list No. 139), police-station Keshpur, district Midnapore, then moving along the said Khal towards east up to confluence of river Silabati in mauza Manoharpur (jurisdiction list No. 286), police-station Chandrakona, district Midnapore, and following the said river up to mauza Hijli (jurisdiction list No. 226), police-station Chandrakona, district Midnapore, then moving in a straight eastern direction bounded on the south by the mauzas Hatukgoy Krishnapur (jurisdiction list No. 85), Harekrishnapur (jurisdiction list No. 86), Alui (jurisdiction list No. 83), Dharmapur (jurisdiction list No. 138), Thabapur (jurisdiction list No. 14), Balaramgar (jurisdiction list No. 70), all police-station Ghatal, district Midnapore, then following the road from Balaramgar (jurisdiction list No. 707) to Ramchandrapur jurisdiction list No. 2), police-station Ghatal, district Midnapore, then following the Ghatal Thana Boundary up to the meeting point of Midnapore district: Hooghly district boundaries in mauza Agra (jurisdiction list No. 177) in police-station Chandrakona, district Midnapore, then following the district boundary towards the east up to meeting point of Sankari river in mauza Damodarpur (jurisdiction list No. 205), police-station Goghat, district Hooghly, then following the western bank of Sankari river up to its confluence with Dwarakeswar then following the said river in a western direction up to Bankura-Khatra road crossing in mauza Rajagram (jurisdiction list No. 133), police-station and district Bankura, then moving in a southern direction bounded on the east by the mauzas Bankan Uparsol (jurisdiction list No. 178), Siarampur (jurisdiction list No. 177), Rajkumar (jurisdiction list No. 176), Jharia (jurisdiction list No. 174), all police-stations and district Bankura, Kharighat, Hertolpo (jurisdiction list No. 12), police-station Onda, district Bankura, then following the course of B.B.C. bounded on the east by B.B.C. up to mauza Kurpa (jurisdiction list No. 171), police-station Indpur, district Bankura, then following the course of I.M.C. bounded on the south by the I.M.C. up to mauza Kadamdeuli (jurisdiction list No. 987), police-station Indpur, district Bankura, then following in the course of S.M.C., up to mauza Ledisol (jurisdiction list No. 195), police-station Khatra, district Bankura, then following the course of L.B.F.C. at first in southern direction and then in western direction and ending in the very mauza Tetulchita (jurisdiction list No. 183), police-station Khatra, district Bankura, wherefrom the description of boundary commenced.

By order of the Governor,

S. K. MOITRA,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4822-F.T. — 13th August 1974. — In pursuance of sub-clause (b) of clause (VI) of regulation 2 of the Commercial Taxes Tribunal Regulations, 1974, the Governor has been pleased to appoint the following officers as authorised representatives to attend, appear, act or plead before the West Bengal Commercial Taxes Tribunal and to receive notices issued by the said Tribunal until further orders:—

(1) Shri S. Mukherjee, Assistant Commissioner, Commercial Taxes, Central Section, West Bengal, Calcutta.

(2) Shri N. G. Ghose, Assistant Commissioner, Commercial Taxes, Central Section, West Bengal, Calcutta.

(3) Shri Subhas Chandra Sen, Commercial Tax Officer in the senior scale, Central Section, West Bengal, Calcutta.

(4) Shri Jotirmoy Ghosh, Commercial Tax Officer in the senior scale, Central Section, West Bengal, Calcutta.

By order of the Governor,
T. N. MUKHERJEE,
Asstt. Secy. to the Govt. of West Bengal

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 19224-F.S./FS/14R-29/69. — 13th August 1974.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955), read with the Government of India, Ministry of Agriculture (Department of Food) Order No. G.S.R. 316(E), dated the 20th June 1972, the Governor, after obtaining the prior concurrence of the Central Government, is pleased hereby to make the following amendments in the West Bengal Rice and Paddy (Restrictions on Movement) Order, 1968, as subsequently amended (hereinafter referred as the said order), namely:—

Amendments

In the said order,—

(1) in paragraph 3, delete clauses (i) and (v);

(2) in paragraph 4, for clause (ii), substitute the following clause, namely:—

"(ii) covered by a permit or a written authority or an order of exemption issued by a competent authority under any order made under section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955);".

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Constitution and Elections

NOTIFICATION

No. 986-A.R.—13th August 1974.—In exercise of the power conferred by clause (3) of article 166 of the Constitution of India, the Governor is pleased hereby to allocate the business of the Government previously allocated to Shri Prafulla Kanti Ghosh, Minister of State-in-charge of Department of Food and Supplies, Dairy Development Branch of Department of Animal Husbandry and Veterinary Services and Sports Branch of Department of Education, during his temporary absence on account of illness, to the Chief Minister, the Minister and the Minister of State named below to the extent specified against each name:—

1. Shri Siddartha Sankar Ray Chief Minister—In charge of Sports Branch of Department of Education.

2. Dr. Gopal Das Nag, Minister—In charge of Department of Food and Supplies and Dairy Development Branch of Department of Animal Husbandry and Veterinary Services.

3. Shri Pradip Bhattacharyya, Minister of State —In subordinate charge of Department of Food and Supplies and Dairy Development Branch of Department of Animal Husbandry and Veterinary Services under the Minister-in-charge of Department of Food and Supplies and Dairy Development Branch of Department of Animal Husbandry and Veterinary Services.

2. This notification shall be deemed to have come in force with effect from the 11th August 1974.

By order of the Governor,
B. R. GUPTA,
Chief Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

BANKURA.—No. 16310-L.A.(P.W)/1M-45/74.—13th August 1974.—Whereas 0.6596 hectare (1.63 acres), more or less, of land situate in or near the village of Kandanasole described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948) by the person authorised under section 3(1A) of the Act for the public purpose of maintaining supplies and services essential to the life of the community, namely, for 33/11 K.V. Sub-station.

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Bankura.

Description of Land

Mauza Kandanasole, jurisdiction list No. 193, police-station Khatra, district Bankura.

C.S.Plot in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
462	Eastern	..	·36	·1457
463	Middle of eastern	..	1·27	·5139

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio).
to the Govt. of West Bengal.

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PART IC—Awards by Industrial Tribunal and Consumers Price Index

GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

ORDERS

No. 5381-I.R./IR/11L-382/74.—18th July 1974.—Whereas under the Government of West Bengal, Labour Department, order No. 1966-I.R./IR/11L-112/70, dated the 3rd March 1970, the industrial dispute between Messrs. Bitumenous Constructors, P-423, Block 'G', New Alipore, Calcutta-53 and their workman Shri Nripen Sen, 164 Jodhpur Park, Calcutta-31, regarding the issue mentioned in the said order being a matter specified in the Second Schedule to the Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the Second Labour Court;

And whereas the said Second Labour Court has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute between Messrs. Bitumenous Constructors, P-423. Block-'G', New Alipore, Calcutta-53 and their workman Shri Nripen Sen, 164 Jodhpur Park, Calcutta-31, referred under G. O. No. 1966-I.R./IR/11L-112/70, dated 3rd March 1970.) (Case No. VIII-C-31/70.)

BEEORE THE SECOND LABOUR COURT, WEST BENGAL

Present:

Shri D. N. SEN, Judge,
Second Labour Court.

Appearances:

For the Company: Shri N. K. Raha, Advocate.

for the Workman: Shri S. R. Ghosh, Advocate, Shri S. R. Das Gupta, Advocate, and Shri K. K. Das Gupta, Advocate.

AWARD

The Government of West Bengal, Labour Department, has referred an industrial dispute between Messrs. Bitumenous Constructors, P-423, Block G, New Alipore, Calcutta-53, and their workman Shri Nripen Sen, 164 Jodhpur Park, Calcutta-31, to this Court by its order No. 1966-I.R./IR/11L-112/70, dated 3rd March 1970, under section 10 read with section 2A of the Industrial Disputes Act, 1947 (XIV of 1947), for adjudication on the following issue:

Issue

Whether the termination of service of Shri Nripen Sen is justified? To what relief, if any, is he entitled?

On receipt of the reference usual notices were served upon the parties, and in due course they entered appearance and put in their respective written statements.

The case of the workman, in short, is as follows:

The workman was appointed by the Company, Messrs. Bitumenous Constructors, on 1st April 1968 as a General Assistant and had been working since that date meritoriously and efficiently with spotless record of service. Although the workman had been working since 1st April 1968, no appointment letter was issued by the Company. Thereafter, on 15th April 1969, the Company handed over an appointment letter to the workman setting forth the terms and conditions of service. The workman acknowledged the receipt of the letter and prayed for time for consideration of the terms and conditions of the service. But suddenly on 18th April 1969, the workman received a letter from the Company terminating his services on some flimsy pretext. The workman has contended that the decision was taken unilaterally by the management and that the workman was not given any opportunity to defend himself before any domestic enquiry. The workman requested the management to withdraw the illegal termination order, but to no effect.

The Company, in its written statement, has denied the material allegations made by the workman and has contended, inter alia, that the Company started its business from 1st April 1968, that a large number of retrenched staff of Shalimar Tar Products including the workman were taken in without any formal appointment letter although the terms were verbally expressed to them, that subsequently on 15th April 1969, the Company issued appointment letters to those workmen including the concerned workman regarding the terms and conditions under which the workmen had been working, that the workman saw the management and represented that the terms were not satisfactory and gave out that he would not attend the firm any longer, and that since 16th April 1969, the workman began to absent himself. The Company has contended that the workman resigned from the service of the Company voluntarily and, therefore, the Company issued the letter on 18th April 1969, accepting such resignation of the workman. The Company has further contended that Shri Sen, the claimant is not a workman but his duties were mainly managerial and/or supervisory in nature.

In this case two points have been pressed for consideration by the Company. The first contention is that the claimant Shri Sen is not a workman within the meaning of section 2(s) of the Industrial Disputes Act (hereinafter referred to as the Act). The Company has made a twofold submission on this point. The first is that the employee Shri Sen was employed mainly in managerial or administrative capacity and alternatively he was employed in a supervisory capacity drawing wages more than Rs. 500. In support of its contention the Company has relied on a number of documents, and let me examine them one by one. Ext. 1 is the appointment letter of the claimant Shri Sen. It appears from the appointment letter that Shri Sen was appointed as a Technical Executive and the material terms of his appointment reads as follows:

"You will be in general control of the Technical and commercial side of the Firm and be directly responsible to the undersigned or his successor or any other similar rank. Your job will also comprise of securing orders, executing them satisfactorily and profitably and collecting payments".

According to the terms of appointment Shri Sen was to get a consolidated salary of Rs. 500 per month and in addition to that commission at the rate of 5 per cent on the nett profits of the Company. There is no dispute also that Shri Sen was given a Power of Attorney for the performance of his duties and Ext. A-11 is a copy of the same. This Power of Attorney termed as General Power of Attorney was executed by Shri P. N. Sen Gupta, one of the employers and partners of the Company and Shri Sen Gupta executed the Power of Attorney as one of the Constituted Attorneys of the Company. Under the said Power of Attorney Shri Sen was authorised to make sign tenders and execute contracts up to individual value of Rs. 1,00,000 with different authorities, to ask demand, sue, collect, receive every sums due to the Company and to grant necessary receipts on behalf of the Company. These documents undoubtedly lay down the terms and conditions of the service of Shri Sen and on a plain reading of the same it is clear that Shri Sen was appointed in a supervisory capacity within the meaning of clause (iv) of section 2(s) of the Act. The evidence of actual duties performed by Shri Sen comes in the shape of certain letters referred to by the Company. Ext. E is a copy of agreement entered into between the Company on one side and Hindusthan Steel Limited, Rourkela Fertiliser Plant on the other side for execution of certain works described as Acid Alkali resisting lining works in Nitrate Division of Fertiliser Plant, and the value of the contract is Rs. 8,000. It appears that Shri Sen signed the contract on behalf of the Company. There is no doubt that he was authorised to do so under the Power of Attorney (Ext. A-11) executed in his favour. The next document is a letter, dated 3rd March 1969 (Ext. A-22), written by the claimant Shri Sen to one M. C. Chatterjee of Durgapur in connection with mastic flooring at Dairy Farm, Durgapur, under Messrs. Durgapur Projects. The contents of the letter show that Shri Sen, on behalf of the Company, was asking for certain clarification regarding the work undertaken by the Company. This document, in my opinion, does not help the Company very much. Ext. A-25 is a letter, dated 1st May 1968, written by Hindusthan Steel Ltd. to Shri Sen described as Bitumenous Contructors. In this letter Hindusthan Steel Ltd. wanted to know the rate of expenditure for repairs of certain expansion joints. The endorsement on the letter indicates that Shri Sen forwarded the same to the Manager of the Company for submission of earliest report and also gave his comments thereon. This letter, though filed by the Company, goes to show that Shri Sen had not the independent authority to take a decision about the quotation of rates by the Company. The Company has next relied on the letter, dated 5th July 1969, written by it to the Labour Officer regarding the present dispute and assorted therein that Shri Sen was not a "workman" within the definition of the Act. In doing so the Company set out the duties performed by Shri Sen under the Company. Obviously that was written after the dispute arose and, therefore, much reliance should not be placed on it.

Coming now to the oral evidence it would appear that Shri Sen, as P.W. 1, has stated in his evidence that his main duties where to contract parties to secure job, to sign bills, to collect bills, to make payment and to carry out orders of the management. He denied the suggestion that he was in charge of all the Construction Projects on behalf of the Company. Against that the evidence of O.P.W. 1 Surajit Roy, one of the Technical Assistants of the Company, is that he used to work

under Mr. Nripen Sen and according to his instruction He has also stated that there were about 6 or 7 Technical Assistants working under Mr. Sen. But in cross-examination he has stated that he is one of the supervisory staff of construction job at Rourkela and his duty was to supervise the technical side of the work. He has further admitted that since his appointment he was posted at Rourkela whereas Shri Sen was posted in Calcutta. So he is not a truthful witness when he says that he along with other used to work under the supervision and on the instruction of Shri Sen. O.P.W. 2, Shri P. N. Sen Gupta is one of the Employers who was examined on behalf of the Company. His evidence is that Shri Sen was a sole Technical Executive in charge of the contract works, securing contracts, signing agreements and everything enumerated in the Power of Attorney given to him. We have already referred to the terms in the Power of Attorney earlier and his evidence does not improve the case of the Company beyond that. But one significant fact emerges from his evidence. He has categorically stated that Shri Sen did not complete his service for the purpose of earning commission. The other witness O.P.W. 3, Parimal Chandra Roy Choudhury has stated that Shri Sen's duty was the execution of job such as waterproofing, basement flooring, etc.

Upon a reading of the evidence discussed above it is quite clear to me that Shri Sen was appointed in a supervisory capacity. But from the whole body of evidence it is difficult to say that Shri Sen was appointed mainly in managerial and administrative capacity.

The Company has, however, relied on two decisions to show that Shri Sen was appointed in managerial capacity. The first is a decision of Madras High Court reported in 1959, Vol.-II L.L.J. page 771 (Standard Vaccum Oil Co. versus Commissioner of Labour). In that decision the meaning of management under section 4(i)(a) the Madras Shops and Establishments' Act. came in for interpretation. Obviously that interpretation was of a different statute and not the definition of workman in the Act, with which we are concerned. Secondly, the facts of that reported decision have no bearing with the facts of the present case. The other case cited by the Company is reported in AIR 1965, Supreme Court, page 111, arising out of the appeal from the decision of the above case. In that decision also the Supreme Court was called upon to interprete section 4(i)(a) of the Madras Shops and Establishments Act. For reasons already recorded earlier that decision cannot be applied to the present case.

Therefore, upon a consideration of the factual position stated above. I hold that Shri Sen was employed in a supervisory capacity within the meaning of clause (iv), and not in managerial or administrative capacity within the meaning of clause (iii) of section 2(s) of the Act. But to take him out of the definition of workman it is to be proved that his wages exceeded Rs. 500. I have already stated earlier that his consolidated salary was Rs. 500 and O.P.W. 2, P. N. Sen Gupta has stated that Shri Sen did not earn any commission. That apart, commission, in my view, cannot come within the meaning of wages because it is dependent on the profits of the Company. It may so happen that the Company did not earn any profit at all. Be that as it might. Shri Sen did not receive anything more than Rs. 500 as his wages and, therefore, he is a workman within the meaning of the Act. The contention of the Company, to the contrary, is over ruled.

That takes us to the other point as to whether Shri Sen voluntarily resigned from the service or not. It is not disputed that Shri Sen received the appointment letter, Ext. 1, on 15th April 1969. It is also not in the dispute that on receipt of the said appointment letter Shri Sen protested to the Company against the terms of his service. Ext. A-4 is a copy of the said letter, dated 16th April 1969. In that letter Shri Sen wrote to the Company that he would intimate the Company about the acceptance of the appointment on the stated terms after giving a thought over it. But the admitted position is that although he formal appointment letter was delivered on 15th April 1969, Shri Sen had been serving under the Company since 1st April 1968. In his letter Shri Sen also stated that as he was indisposed he could not come earlier. It is in the evidence of O.P.W. 2 that Shri Sen personally handed over the said letter to the Company on 17th April 1969. But it is the positive case of the Company that on 15th April 1969, on receipt of the formal appointment letter (Ext. 1) Shri Sen gave out that he would not accept the appointment and serve under the Company any longer . The Company took that as his voluntary resignation, and as Shri Sen admittedly did not attend office on 16th and 17th the Company wrote the letter on 18th April 1969 (Ext. 1-A), treating the services of Shri Sen as terminated from 16th April 1969. In this letter of termination the Company made allegation that Shri Sen had declared before the staff on 15th April 1969, that he would not serve this firm and attend office from 16th next and that was confirmed by his absence on 16th and 17th respectively. It is on that basis the Company issued the letter of termination. The explanation of the workman, P.W. 1, is that he could not attend office due to indisposition and his positive assertion is that he never resigned from the services of the Company. Against that the Company has relied on the evidence of O.P.W. 1 and O.P.W. 3 to establish that the workman had declared before them about his intention not to serve the Company. O.P.W. 1 has further stated that on 16th April 1969, he went to the residence of Shri Sen and found him absent. Even assuming their evidence to be true it is too much to accept that by some words of mouth the workman voluntarily resigned from the services of the Company. If he had to resign he had to tender his resignation to the employer and mere declaration of his intention before the staff is not sufficient. The testimony of O.P.W. 2 on this point is that on receipt of the appointment letter the workman saw him in an excited manner and gave out that he would not serve under the Company and then went upstairs. Even this statement, if true, do not amount to voluntary resignation from the service of the Company. It can be disputed that the workman did not readily accept the terms of the service contained in the appointment letter, Ext. 1, and therefore, he wrote the letter to the

Company on 16th April 1969 and handed over the same to the Company on 17th April 1969, as already stated. Had he voluntarily resigned from the services of the Company he would not have written such a letter (Ext. A-4) and handed over the same to the Company on 17th April 1969. In that background the letter of termination, dated 18th April 1969, appears to be wholly arbitrary and mala fide. In this letter Shri P. N. Sen Gupta expressed. "The undersigned was surprised when informed by you that you did not want to serve a small firm like ours." But the letter of the workman, dated 16th April 1969 (Ext. A-4), does not bear our any such information.

Therefore, considering all the aspects of the case and the materials placed before me I am unable to uphold the contention of the company that the workman Shri Sen voluntarily resigned from the services of the company. The company acted illegally in terminating his services by the letter, dated 18th April 1969, making out the plea that the workman had voluntarily left the services of the Company, which is found to be untrue. In the result, therefore, I find that the termination of services of the workman is wholly illegal and unjustified. He is, therefore, entitled to reinstatement with full back wages from 16th April 1969.

This is my award.

Dictated and corrected by me.

D. N. SEN,
Judge.

D. N. SEN, Judge,
Second Labour Court.
14-6-1974.

By order of the Governor,

S. N. ROY, Dy. Secy.

No. 5283-I.R./IR/10L-5(S)/72.—15th July 1974.—Whereas under the Government of West Bengal, Labour Department, order No. 119-I.R./IR/10L-5(S)/72, dated the 11th January 1973, the industrial dispute between Messrs. Hindusthan Steel Limited (Central Sales Organisation), 2 Fairlie Place, Calcutta-1, and their workmen Shri Manas Kumar Banerjee and 27 others mentioned in the Annexure, 12A Rajchandra Sen Lane, Calcutta-9, regarding the issue mentioned in the said order being a matter specified in the Second Schedule to the Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the Third Industrial Tribunal;

And whereas the said Third Industrial Tribunal has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute existing between Messrs. Hindusthan Steel Ltd. (Central Sales Organisation), 2 Fairlie Place, Calcutta-1, and their workmen Shri Manas Kumar Banerjee and 27 others mentioned in the Annexure, 12A Rajchandra Sen Lane, Calcutta-9, as referred to this Tribunal under G. O. No. 119-I.R./IR/10L-5(S)/72, dated 11th January 1973. (Case No. VIII-7/73.)

BEFORE THE THIRD INDUSTRIAL TRIBUNAL, WEST BENGAL

Present:

Shri S. K. MITRA, Judge,
Third Industrial Tribunal.

Appearances:

For the Company: Shri D. K. Ghosh, Legal Adviser, A.I.E.I.

For the Workmen: Shri T. K. Roy, Advocate.

AWARD

The Labour Department, Government of West Bengal, referred an industrial dispute existing between Messrs. Hindusthan Steel Limited (Central Sales Organisation), 2 Fairlie Place, Calcutta-1, and their workmen Shri Manas Kumar Banerjee and 27 others mentioned in the Annexure, 12A Rajchandra Sen Lane, Calcutta-9, to this Tribunal by its order No. 119-I.R./IR/10L-5(S)/72, dated 11th January 1973, for adjudication upon the matter under section 10 of the Industrial Disputes Act, on the following issue:

Issue:

Whether the seniority as claimed by Shri Manas Kumar Banerjee and 27 others (as per Annexure) is justified? If so, to what relief, if are they entitled?

This is a reference of an existing industrial dispute, namely, whether seniority as claimed by Shri Manas Kr. Banerjee and 27 others (as per Annexure) is justified and their right to the relief arising therefrom between Messrs. Hindusthan Steel Ltd. (Central Sales Organisation) and their workmen aforesaid Shri Manas Kr. Banerjee and 27 others.

The reference was received in this office on 19th January 1973. After notice the parties appeared and filed their respective written statements.

The Company in their written statement has taken certain preliminary objections regarding jurisdiction and maintainability of the reference—

(1) The number of workmen as mentioned in the Government Order does not constitute substantial/appreciable number as required by law to espouse cause/raise "industrial dispute" within the meaning of the Industrial Disputes Act and that as such it is not an industrial dispute.

(2) The relevant recital in the Government Order of Reference is defective as it does not represent the actual state of affairs. In other words, there was/is no dispute as between the Company and its workmen.

(3) List of names of the workmen as annexed to the Government Order includes the names of persons who do not admittedly belong to the Central Sales Organisation of the Company and accordingly to that extent also otherwise the said order is defective.

(4) The Government Order is again bad in law for misjoinder/non-joinder of necessary parties inasmuch as at all material times when the cause was purportedly espoused/referred, the employees named in the list annexed to the Government Order were numbers of the Association of the Hindusthan Steel Employees, Calcutta, which should have been made a party to the instant proceeding for a proper and effective adjudication.

The Company prayed for hearing of these preliminary objections first and they were so heard. Both documentary and oral evidences were led from both sides. The defence of the workmen will come out in course of the discussions below. So I do not state the name here again.

The only important preliminary objection is the objection No. 1 as aforesaid. The reference has been made at the instance of 28 workmen, unrepresented by any Union. The reference is, dated 11th January 1973. The Association of Hindusthan Steel Employees is a recognised and representative Union of this organisation. Shri Gurudas Chowdhury, General Secretary of the Union, deposing from the side of the Company, states that all these 28 persons were undisputedly members of the said Association till 31st December 1973. Shri Arun Baran Ganguly, who has been authorised by the 27 other affected persons in the reference to represent their case all through, stated in cross-examination that he does not remember if in January 1973 all of them were members of the aforesaid Association. Therefore, the fact remains that up to December 1973, even long after the reference was made, these men were members of the said Association. But the Association did not espouse their cause. The aforesaid Secretary of the Association says that these 28 persons moved the conciliation behind their back and they were trying to balittle them and requested them to withdraw their membership from the Association. He further said that the moment these 28 persons asked them to sponsor their claim or demand, they considered it to be unjust. As to why it was unjust, he refers to an agreement but not produced. Any way, the fact remains that the Union considered their case or claim to be unjust and unworthy of support and therefore, refused their support to the cause. So, these 28 workmen, disassociated from the Association and forming a group by themselves, placed their grievances with the management and upwords. It is their promotion which is the subject-matter of this reference.

So, the next question is whether these 28 affected employees by their mutual support to one another's cause can convert this individual dispute into an industrial dispute within the meaning of the Industrial Disputes Act. The learned Advocate for the Company referred me to two cases in support of his contention that it is not an industrial dispute because it did not get the support of a substantial appreciable member of workmen. The cases are reported in 1961 LLJ.(2) p. 436 and 1973 LLJ.(I) p. 146. The first case is a case between Bombay Union of Journalists and others and the "Hindu", Bombay and another. The dispute in that case was in respect of an alleged wrongful termination of employment of one workman. It was held in that case by the Hon'ble Supreme Court of India that this dispute could have acquired the character of an industrial dispute only if it was proved that it was before it was referred, supported by the Union of the employees of the "Hindu" Bombay or by an appreciable number of its employees and that the persons who are not employees of the same employer cannot be regarded as directly and substantially interested in the dispute. So, by their support they cannot convert this industrial dispute into an industrial dispute. In the other case, a Calcutta High Court case, it was held by the said Hon'ble Court that the purpose of the adjudication machinery to maintain harmony in the industrial establishment, a dispute can only become an industrial dispute provided it is raised between the employer and workmen and provided further that the workmen concerned are such that they can affect the working of the particular industry. The Court also held that such an effect or impediment can be caused by a substantial number of workmen in this case. The dispute related to three drivers employed in the Company. The dispute was sponsored by a Trade Union but not of the workmen in this Company. 21 of the workmen of the Company wrote to the Company that they were not interested in the dispute and that the Union in question did not represent them. There was no evidence that apart from the 3 motor drivers, the workers of the petitioners-Company were members of the said Union. So, it was held by the Hon'ble Court as above.

As against it, the learned Advocate for the workmen referred me to 4 cases namely, cases reported in 1973 LIC. p. 898, 1969(2) LIC. p. 1968, 1963 AIR. (S.C.) p. 316 and 1970 LIC. p. 611. In the first case it has been held by the Kerala High Court that it is not the requirement that a dispute concerning an individual worker sould be originated by a substantial section of the workmen or a Trade Union or that it should be taken by them from the very inception for that dispute to become an industrial dispute. The Court further laid down in the body of the judgment at page 402 that the moment an individual cause is espoused by a substantial section of the workmen or a Trade Union of which he is a member, the dispute is transformed into an industrial dispute. In the next case it has been held by the Assam and Nagaland High Court that it is not necessary that the workmen raising a dispute must be in the majority and that, it is enough if the dispute when raised by a group of workmen affecting the class as a whole.

The next case is the same case as reported in 1961 LLJ., (2) p. 436, referred to by the learned Advocate of the Company. In the last case it has been held by the Andhra Pradesh High Court that what is necessary is that there should be some expression of collective will of a substantial or appreciable number of workmen treating the cause of the dismissed workman so as to make it an industrial dispute.

In the background of the above, we are to decide the question whether these individual disputes of 28 workmen have been converted into an industrial dispute by their mutual support. We have found from a discussion of the aforesaid judicial pronouncements that backing of a substantial/appreciable number of the workmen is necessary to convert an individual dispute into an industrial dispute. I have already said that the Union or Association has disowned them and withheld support. We get from P.W. 2 Shri Sushil Bose, Personnel Officer of the Company, that the total strength of the employees in Calcutta base of the Organisation in 1973 was about 1,400. So, the position is that out of 1,400 employees only the affected 26 persons mutually supported their cause and that 1,372 employees have either withheld their support or refused to support them. So, can it be said that even in spite thereof this has become an industrial dispute.

My answer is that it cannot be called an industrial dispute. These 28 workmen also became members of the Association, called the Association of Hindusthan Steel Employees, and remained so, without formally severing their connection therefrom, till the dispute was raised and referred, and even long thereafter. The Union Secretary no doubt deposed that the moment these 28 workmen asked them to sponsor their claim or demand they considered it to be unjust. He advances reasons in support thereof. He says that there was a settlement between the Union and the management that seniority in respect of persons coming from other steel plants or office to CSO and CTSO would be determined from the date of their joining. The tripartite settlement, dated 25th July 1969 and the bipartite settlement of a few days earlier no doubt do not contain anything regarding the disputed seniority. It is also no doubt seen that the Secretary got the seniority from the date of his initial appointment, which was not in CSO Unit. He came to this Unit in 1964. H further no doubt says that many of the 1399 employees working here had their initial appointment outside and that those who have come to CSO and CTSO up to 31st December 1968 got their seniority from the date of initial appointment. It is also no doubt seen from his cross-examination that persons junior to these 28 persons from the point of view of initial appointment will get promotion if these persons ar not given promotion. It is also no doubt found that the question of promotion on the basis of seniority was not finally settled. But even in spite of all the above, the fact remains that the Union, and a recognised Union, has refused to support their cause and that out of about 1,400 workmen only the affected 28 persons have mutually espoused or supported their cause. The learned Advocate for the workmen stated that these 28 workmen should be considered to represent a substantial or appreciable number. He referded me to the dictionary meaning of the said words. In Chamber's Dictionary the word 'substantial' has been given the meaning inter alia, considerable in amount. In the same Dictionary the word 'appreciable' has been given the meaning capable of being estimated or perceptible.

In view of the judicial pronouncements discussed earlier and keeping in the background the total number of workmen in this office, I fail to hold that these 28 persons constitute a substantial or appreciable number of workmen, even as so held in the above dictionary, so as to convert their individual dispute into an industrial dispute. I accordingly find that the dispute in reference has not become an "industrial dispute" within the meaning of the Industrial Dispute Act.

The second point was not pressed. Apart from that, evidence on record establishes quite satisfactorily that there was a dispute between the Company and its workmen though falling short of an "industrial dispute" for the reasons aforesaid.

The third preliminary point, namely, that the list of names of the workmen as annexed to the Government Order includes the names of persons who do not admittedly belong to the Central Sales Organisation of the Company is also not correct. O.P.W. 2 Shri Manash Banerjee, Serial No. 2 in the Order of Refedence says that three of them have been posted in the CTSO but they draw their salary from CSO. The Company has not, however, produced any evidence, though available to them showing that this witness made a false statement by saying that the three persons who have been posted in CTSO also draw their salary from CSO. So, in the absence of any such evidence I fail to discard the testimony of the said witness. That being so, those three employees must also be treated as belonging to or employed in the CSO, though actually working in CTSO for the time being. So, it is not correct to say that only 25 per cent. workmen have supported the demand or dispute and not 28 workmen.

The fourth objection, namely, non-joinder of the Union as party has no substance in it. Moreover, it was not pressed. The Union never espoused their cause. So, this objection goes.

In view of my findings regarding point No. 1 that the dispute in question has not become an industrial dispute, I find the reference to be not maintainable and not conferring jurisdiction upon this Tribunal to adjudicate upon the same. The reference is, therefore, liable to be rejected on that preliminary ground and, it is so rejected.

This is my award and this disposes of the reference.

Dictated and corrected by me.

S. K. MITRA,
Judge.
29-6-1974.

S. K. MITRA, Judge,
Third Industrial Tribunal.
29-6-1974.

By order of the Governor,
S. N. ROY, Dy. Secy.

No. 5593-I.R./IR/10L-18/74(Pt. 2).—28th July 1974.—Whereas under the Government of West Bengal, Labour Department, order No. 2261-I.R., dated the 9th May 1972, the industrial dispute between Messrs Hindusthan Steel Ltd., Alloy Steel Plant Durgapur-8, and their workmen represented by Alloy Steel Shramik Union, 12/3 Tilok Road, Durgapur-5 regarding the issue mentioned in the said order being a matter specified in the Second Schedule to the

Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the Ninth Industrial Tribunal;

And whereas the said Ninth Industrial Tribunal has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute between Messrs. Alloy Steel Plant, Durgapur-8, and their workmen represented by the Alloy Steel Shramik Union, 12/3 Tilok Road, Durgapur-5. (Case No. X-5/12) (G. O. No. 2261-IR, dated 9th May 1972.)

BEFORE THE NINTH INDUSTRIAL TRIBUNAL, DURGAPUR-3

Present:

Shri MIHIR MUKHERJEE, M.Sc., LL.B., W.B.H.J.S.,

Judge,

Ninth Industrial Tribunal, Durgapur.

Appearances:

For the Company: Shri B. K. Chatterjee, Senior Personnel Officer.

For the A.S.S.U.: Shri Sushanta Chakraborty, Secretary.

For the H.S.E.U.: Shri S. Dey, Vice-President.

AWARD

The Government of West Bengal, in the Labour Department has referred an industrial dispute between Messrs. Alloy Steel Plant, Durgapur-8, and their workmen represented by the Alloy Steel Shramik Union, 12/3 Tilok Road, Durgapur-5, under section 10 of the Industrial Disputes Act, 1947 to the Ninth Industrial Tribunal, Durgapur constituted under notification No. 4481-GE/G/3A-20/66, dated 7th September 1967, for adjudication, on the following issue:

Issue

"Whether the three Supervisors of the Construction Division who were transferred to the Supernumerary posts of Chargeman Grade 'C' created under sanction Order No. 9M/2210/1566, dated 16/19th December 1968, should reckon their seniority as Chargeman Grade 'C' with effect from 25th January 1969?

If not, with effect from which date should their seniority in the above posts be reckoned?"

On receipt of the reference, notices were issued to the parties and both the parties appeared on 26th June 1972. On 5th July 1972, 2 petitions were filed by three workmen and twenty-one workmen respectively praying for allowing them to be represented by Hindusthon Steel Employees' Union, Alloy Steel Plant. The matter came up for hearing before my learned Predecessor on 20th July 1972 when he, by his order No. 6, dated 20th July 1972, allowed the three workmen, namely (1) Shri D. P. Banerjee, (2) Shri A. K. Chatterjee and (3) Shri M. Das to be represented by Hindustan Steel Employees' Union, but rejected the other petition filed by twenty-one other workmen as such. The Union mentioned in the Order of Reference, filed written statement on 21st August 1972, the added party filed written statement on 29th August 1972 and the Company filed its written statement 25th October 1972. The Alloy Steel Shramik Union filed list of document and the documents. The Company filed list of documents. After a few adjournments the reference was taken up for final hearing on 20th November 1973. When one witness was examined and some documents were marked as exhibits. The case is, thereafter adjourned and on 3rd April 1947, the Company filed a petition raising preliminary objections regarding the maintainability of the Order of Reference which was heard on 24th April 1974 and my learned Predecessor, by his order No. 44, dated 26th April 1974, disallowed the preliminary objections and 28th May 1974 was fixed for further hearing, which was adjourned to 19th June 1974 and then to 18th July 1974.

Messrs. Hindustan Steel, Alloy Steel Plant, their workmen represented by Alloy Steel Shramik Union and also the added parties represented by Hindustan Steel Employees' Union have filed a joint petition intimating this Tribunal that the parties had settled the dispute between themselves. This joint petition is signed by Shri B. K. Chatterjee, Senior Personnel Officer, on behalf of Hindustan Steel Ltd., Alloy Steel Plant, by Shri Sushanta Chakraborty, Secretary, Alloy Steel Shramik Union and Shri S. Dey, Vice-President, Hindustan Steel Employees' Union. In view of the joint petition filed before the Tribunal stating that the industrial dispute has been settled between the parties and the representation made before this Tribunal that the industrial dispute under reference has been amicably settled between the parties on the term mentioned therein. I hold that 'no dispute' exist between the parties and it is a fit case where a 'no dispute' award should be passed.

Accordingly I pass a 'no dispute' award making the joint petition as annexure to this award.

Dictated and corrected by me.

M. MUKHERJEE,
Judge.

M. MUKHERJEE, Judge,
Ninth Industrial Tribunal.
Durgapur-3.
5-7-1974.

BEFORE THE NINTH INDUSTRIAL TRIBUNAL, DURGAPUR

In the matter of an industrial dispute

Between

Messrs. Mindustan Steel Limited, Alloy Steels Plant

Versus

Their workmen represented by Alloy Steel Shramik Union

And

In the matter of Government of West Bengal, Labour Department, reference No. 2261-I.R./IR/10L-11/71, dated 9th May 1972.

The humble joint petition of the abovenamed Unions and the Company—

Most Respectfully Sheweth—

(1) That the above dispute with the following issue is pending before Your Honourable Tribunal—

"Whether the three supervisors of the Construction Division, who were transferred to the supernumerary posts of Chargemen, Grade 'C', created under sanction order No. GM/2210/1566, dated 16/19th December 1968, should reckon their seniority as chargemen, Grade 'C', with effect from 25th January 1969? If not with effect from which date their seniority in the above posts be reckoned".

(2) That Hindustan Steel Employees' Union (ASP Unit) became an added party to the above dispute.

(3) That the management and the Unions have since come to a settlement in respect of the seniority of the workmen concerned in the dispute under reference.

(4) That it has been agreed by and between the management and the Unions that the seniority of the three workmen viz., Shri A. K. Chatterjee, D. P. Banerjee and M. Das as Chargemen, Grade 'C', in M.E.D. (Power) will be reckoned in the scale of Rs. 210–365(P/R) with effect from 25th January 1969.

(5) That both the Unions and the management are of the opinion that the settlement in question is fair and reasonable.

In the circumstances, both the management and the Unions jointly prays that Your Honour will be gracious enough to pass necessary orders/awards accordingly;

And for this act of kindness as in duty bound your petitioners shall ever pray.

On behalf of ASP Management
B. K. Chatterjee.

Senior Personnel Officer,
ASP, HSL.
5/7/1974.

On behalf of A.S.S.U.
S. Chakravorty, Secretary.
5/7/1974.

On behalf of H.S.E.U.
S. Dey, Vice-President.
5/7/1974.

M. MUKHERJEE, Judge,
Ninth Industrial Tribunal.

By order of the Governor
S. N. ROY, Dy. Secy.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF AGRICULTURE AND COMMUNITY DEVELOPMENT

Market Welfare and Commodity

NOTIFICATIONS

No. 9237-M.W.&C.—13th August 1974.—In pursuance of the provisions of sub-section (3) of section 1 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Bengal Act XXXV of 1972), the Governor is pleased hereby to appoint the first day of September 1974, as the date on which the said Act shall come into force in the areas noted in column (3) of the Table below within the district and subdivisions noted in columns (1) and (2), respectively, of the said Table.

The Table

District (1)	Subdivision (2)	Police-station (3)
Burdwan	Burdwan Sadar	Burdwan, part of Raina, part of Khandaghosh and part of Bhatar.
Do.	Do.	Ausgram and part of Bhatar.
Do.	Burdwan Sadar and Kalna	Memari, part of Jamalpur and part of Manteswar.
Do.	Kalna	Kalna and Purbasthali.
Do.	Katwa	Katwa, Ketugram and part of Mangalkot.

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9238—M.W.&C.—13th August 1974—In exercise of the power conferred by sub-section (1) of section 3 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Bengal Act XXXV of 1972), the Governor is pleased hereby to declare the areas, specified in column (3) of the Table below, to be the market areas within which purchase and sale of agricultural produce or produces as specified against each in column (4) of the said Table shall be regulated.

The Table

District	Subdivision	Market area	Name of the agricultural produce
(1)	(2)	(3)	(4)
Burdwan ..	Burdwan Sadar ..	(1) Part of Bhatar Block covering Mouzas & J. L. Nos.— Jhikardanga (50), Karjona (56) Mahachanda (49), Nabasta (55) and Parht (47).	Cereals—Paddy, Rice. Vegetables—Potato, Onion.
		(2) Entire Burdwan Block.	
		(3) Part of Khandaghogh Block covering Mouzas & J. L. Nos.— Atkulya (64), Chandipur (55), Gaitanpur (65), Huria (73), Kamalpur (74), Kendia (75), Keshabpur (68), Napara (56), Roypur (67) and Tildanga (66).	
		(4) Part of Raina Block covering Mouzas and J. L. Nos.— Bamunia (32), Banagram (34), Beloor (6), Bondgachia (5), Dhamas (39), Haripur (36), Hizalna (33), Jakta (6), Jamna (4), Jatsilaran (9), Machkhara (8), Natu (37), Satgechia (7) and Uttar Mohanpur (38).	
Do. ..	Do. ..	(1) Ausgram Block I and II	
		(2) Part of Bhatar Block covering the following Mouzas and J. L. Nos.— Ambona (20), Gholda (18), Gramdihi (17), Mahata (33), Mohanpur (19), Orgram (11) and Silakot (13).	Cereals—Paddy, Rice. Vegetables—Potato, Sweet Pumpkin. Oilseeds.
Do. ..	Do. & Kalna ..	(1) Part of Jamalpur Block covering the following Mouzas & J. L. Nos.— Ajhapur (20), Basistapur (17), Ghaksanjadi (2), Habaspur (10) Haibatpur (4), Mosagram (15) Purbasadipur (21), Salmula (22) and Shambhupur (1).	Cereals—Paddy, Rice. Fibre—Jute. Vegetables—Sweet Pumpkin, Onion, Potato.
		(2) Part of Manteswar Block covering the following Mouzas & J. L. Nos.— Dhannyakherur (129), Ganpuria (132), Khorad (134), Majhergram (133), Prasadpur (137) Sonagachi (130), Tentulia (135) and Temohani (131).	
		(3) Memari Block I & II.	
Do. ..	Kalna	(1) Kalna Block I & II	Cereals—Paddy, Rice, Wheat.
		(2) Purbasthali Block I	Fibre—Jute. Vegetables—Potato.
Do. ..	Katwa ..	(1) Katwa Block I & II.	Cereals—Paddy, Rice.
		(2) Ketugram Block I & II.	Fibre—Jute.
		(3) Part of Mangalkot P. S. covering the following Anchals— Bhalgram, Kaichar, Khiragram, Majhigram, Nigan, and Simulia.	Vegetables—Potato. Pulses.

By order of the Governor,

P. GHOSAL,

Dy. Secy. to the Govt. of West Bengal.

No. 9239-M.W.&C.—13th August 1974.—In exercise of the power conferred by clause (i) of sub-section 1 of secton 4 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Bengal Act XXXV of 1972) the Governor is pleased hereby to declare the areas specified in column (2) of the Table below as the Principal Market yards and the areas specified in column (3) of the said table as sub-market yards for the market areas noted respectively against each of them in column (1) of the said Table.

The Table

Market area	Principal Market Yard	Sub-market Yard	Mauza	J. L. No.
(1)	(2)		(4)	(5)
District Burdwan				
		Police station Burdwan		
Burdwan P. S. Part of Raina P. S. Part of Khandaghosh P. S. Part of Bhatar P. S.	The entire Municipal area of Burdwan Municipality bounded on the north by Krishnapur and Goda mauza, on the south by Damodar river, on the east by Nari and Bamchandaipur mauzas and on the west by Baharpur and Birutikri mauzas.	Mahinagar ..	Mahinagar ..	3
		Hatigovindapur	Hatigovindapur	136
		Saktigarh ..	Saktigarh ..	155
		Hatudewan ..	Mirzapur ..	66
		Sadarghat ..	Mirchoba ..	33
		Police station Ausgram		
(i) Ausgram Block I and II. (ii) Part of Bhatar Block covering mauzas and J. L. Nos. Ambona (20), Mohanpur (19), Gholda (18), Gramdihi (17), Orgram (11), Silakot (13), Mahata (33).	The entire Gushkara village (J. L. No. 158) bounded on the north by river Kunur, on the south by mauza Sibda (J. L. No. 161), on the east by mauza Itachanda (J L. No. 159) and mauza Turukdanga (J. L. No. 160) and on the west by mauza Alutia (J. L. No. 154) and mauza Dwariapur (J. L. No. 162).	Bonpas Railbazar	Belari ..	177
		Bhedia ..	Bhedia ..	131
		Amarargar ..	Amarargar ..	188
		Aduri ..	Aduria ..	14
		Bhatkunda ..	Bhatkunda ..	34
		Ausgram ..	Ausgram ..	111
		Police station Memari		
(i) Memari Block I and II. (ii) Part of Jamalpur Block. (iii) Part of Manteswar Block	Mauzas Memari (J. L. No. 152), Dakshin Radha-Kantapur (J. L. No. 130), Khara (J. L. No. 151), Joanpur (J. L. No. 153), Barhmanpara (J. L. No. 129) and Tatarpur (J. L. No. 146). It is bounded on the north by mauza Ichapur (J. L. No. 161), on the south by mauza Dilalpur (J. L. No. 150), on the east by mauza Kiskinda (J. L. No 158) and Bagila (J. L. No. 154) and on the west by mauza Nemo (J. L. No. 144).	Dolubazar ..	Dolubazar ..	55
		Satgachia ..	Satgachia ..	81
		Kalanabagram	Nabagram ..	52
		Debipur ...	Debipur ..	193
		Police station Kalna		
(i) Kalna Block I and II. (ii) Purbasthali Block I.	Entire Kalna Municipality bounded on the north by the river Ganga (Bhagirathi), on the south by Kalna Railway Gate, on the east by hospital buildings and on the west by Subdivisional Officer, Kalna's bunglow.	Baidyapur ... (Kalna Block II).	... ...	128
		Dhatrigram .. (Kalna Block I).	... ...	87
		Police station Katwa		
(i) Katwa Block I and II. (ii) Ketugram Block I and II. (iii) Part of Mangalkot P. S. covering the following Anchals— Bhalgram, Kaichar, Khiragram, Majhigram, Nigan, Simulia.	The entire Katwa Municipality	Dainhat ...	Dainhat ...	89
		Agradwip ...	Agradwip ...	112
		Mejhiari ...	Mejhiari ...	67

By order of the Governor,

P. GHOSAL,

Dy. Secy. to the Govt. of West Bengal.

No. 9240-M.W.&C.—13th August 1974.—In exercise of the power conferred by clause (ii) of sub-section (i) of section 4 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Bengal Act XXXV of 1972), the Governor is pleased hereby to declare the areas specified in column (3) of the Table below as market proper in respect of the Principal market yard mentioned against each of them in column (2) of the said Table.

The Table

Subdivision	Principal Market Yard	Market Proper
(1)	(2)	(3)
District Burdwan		
Burdwan Sadar	The entire municipal area of Burdwan Municipality bounded on the north by mauza Krishnapur and Goda, on the south by Damodar River, on the east by Nari and Ramchandaipur mauza and on the west by Baharpur and Birutikri mauzas.	Entire Burdwan Block.
Ditto	Entire Gushkara village, J. L. No. 158	Entire Ausgram Block I and II.
Ditto and Kalna ..	Mauzas Memari (152), Dakshin Radhakantapur (J. L. No. 130), Khara (J. L. No. 151), Joanpur (J. L. No. 153), Barhmanpara (J. L. No. 129) and Tatarpur (J. L. No. 146). It is bounded on the north by mauza Ichapur (J. L. No. 161), on the south by mauza Dilalpur (J. L. No. 150), on the east by mauza Kiskinda (J. L. No. 158) and Baglhia (J. L. No. 154) and on the west by mauza Nemo (J. L. No. 144).	Entire Memari Block I and II.
Kalna	Entire Kalna Municipality. Bounded on the north by the river Ganga, on the South by Kalna Railway Gate, on the East by hospital buildings and on the west by the bunglow of the Subdivisional Officer, Kalna.	Entire Kalna P. S. comprising Block, Kalna I and II.
Katwa	The entire Katwa Municipality	Entire Katwa P. S.

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9241-M.W.&C.—13th August 1974.—In exercise of the power conferred by section 5 of the West Bengal Agricultural Produce Marketing (Regulations) Act, 1972 (West Bengal Act No. XXXV of 1972), the Governor is pleased hereby to constitute the market committees as mentioned in column (4) of the Table below in respect of the market area noted against each in Column (3) of the said Table.

The Table

District	Subdivision	Market area	Name of the Market Committee
(1)	(2)	(3)	(4)
Burdwan ..	(1) Burdwan Sadar ..	(a) Entire Burdwan Block. (b) Part of Raina Block. (c) Part of Khandaghosh Block. (d) Part of Bhatar Block	Burdwan Regulated Market Committee.
	(2) Burdwan Sadar ..	(a) Ausgram Block I & II. (b) Part of Bhatar Block covering mauzas and J. L. No. Ambona (20), Mohanpur (19), Gholda (18), Gramdihi (17), Orgram (11), Silakot (13) and Mahata (33).	Gushkara Regulated Market Committee..
	(3) Burdwan Sadar and Kalna	(a) Memari Block I & II. (b) Part of Jamalpur Block. (c) Part of Manteswar Block.	Memari Regulated Market Committee.
	(4) Kalna	(a) Kalna Block I & II. (b) Purbasthali Block I.	Kalna Regulated Market Committee.
	(5) Katwa	(a) Katwa Block I & II. (b) Ketugram Blocks I & II. (c) Part of Mangalkot P. S. covering the following Anchals— Bhalgram, Kaichar, Khiragram, Majhigram, Nigan, Simulia.	Katwa Regulated Market Committee.

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9242-MW&C.—13th August 1974.—In exercise of the power conferred by section 6 of the West Bengal Agricultural produce Marketing (Regulation) Act, 1972 (West Bengal Act XXXV of 1972), the Governor is pleased hereby to publish the names of the market committees, mentioned in column (1) of the following schedule along with the names of their respective Chairman, Vice-Chairman and members mentioned against each of them in columns (2), (3) and (4) respectively of the said Schedul

Schedule

DISTRICT BURDWAN

Name of the Market Committee	Name of the Chairman	Name of Vice-Chairman.	Names of members
1	2	3	4
Burdwan Regulated Market Committee.	Shri Kashi Nath Tah, M.L.A., Burdwan North.	Additional District Magistrate, Burdwan.	1. Additional District Magistrate, Burdwan. 2. Superintendent of Agricultural Marketing Western Range, Burdwan. 3. Chairman, Burdwan Thana, Large-sized Co.-operative Marketing Society. 4. Chairman, Burdwan Municipality. 5. Shri Kashi Nath Tah, M.L.A., Burdwan North. 6. Shri Sadhan Hari Bose, son of Panchanan Bose, Village and p.o. Talit, district Burdwan 7. Shri Amar Nath Tah, Town Hall Para, Burdwan. 8. Shri Sundar Gopal Roy, Village Jeara p.o. Bankasiara, Burdwan. 9. Shri Hariprosad Samanta, son of Shri Brindaban Samanta, village and p.o. Kurmun, District Burdwan.
Gushkara Regulated Market Committee.	Subdivisional Officer, Burdwan Sadar.	Shri Alok Mukherjee, son of Late Dhurjati Mukherjee, village and p.o. Ghushkara, Burdwan.	1. Sub-divisional Officer, Burdwan Sadar. 2. District Agricultural Marketing Officer, Burdwan 3. Shri Tinkori Ghatak, Chairman, Gushkara, Large-sized Co-operative Agricultural Marketing Society. 4. Shri Narayan Choudhury, Chairman, Zilla Parishad, Burdwan. 5. Shri Bansidhar Saha, village Digragar, p.o Hatkirtinagar, Burdwan. 6. Shri Rabin Kumar Gupta, Principal, Gushkara College, p.o. Gushkara, district Burdwan. 7. Shri Kshetra Gopal Ghosh, village & p.o. Gushkora, Burdwan. 8. Shri Abdul Ranaman, village Srikrishnapur, p.o. Kurumba, Burdwan.
Memari Regulated Market Committee.	Shri Naba Kumar Chatterjee, M.L.A., Memari.	District Panchayat and Special Officer, Planning & Development, Burdwan.	1 District Panchayat & Special Officer, Planning & Development, Burdwan 2. District Agricultural Marketing Officer, Burdwan. 3. Secretary, Memari Thana Large-sized Agricultural Co operative Marketing Society Ltd., p.o Rasulpur, Burdwan. 4 Shri Korban Ali, Anchal Pradhan Memari, district Burdwan. 5. Shri Naba Kumar Chatterjee, M.L.A., Memari. 6. Shri Dipak Konar, village & p.o. Palit, district Burdwan. 7. Shri Somnath Chattopadhyay, village & p.o. Gandar, Burdwan. 8 Shri Debu Chattopadhyay, village & p.o. Memari, district Burdwan 9. Shri Chaitanya Charan Laha, village & p.o. Memari, Burdwan.

1	2	3	4
Kalna Regulated Market Committee.	Subdivisional Officer, Kalna ..	Shri Niamat Ali Sheikh, son of late Aulad Ali Sheikh, village Belerdanga, p.o. Deara, district Burdwan.	1. Subdivisional Officer, Kalna. 2. District Agricultureal Marketing Officer 3. Secretary, Kalna Thana Large-sized Agricultural Co-operative Marketing Society Ltd., district Burdwan. 4. Chairman, Kalna Municipality, district Burdwan. 5. Shri Niamat Ali Sheikh, son of late Aulad Ali Sheikh, village Belerdanga, p.o. Deara, district Burdwan. 6. Shri Dhirendra Nath Chatterjee, Subarnanagar, p.o. Kalna, district Burdwan. 7. Shri Snehansu Acharya, village Kestapur, p.o. Atgharia, Burdwan. 8. Shri Bholanath Banerjee, village Ramnagar, p.o. Baidyapur, Burdwan. 9. Shri Nalini Ranjan Chatterjee, S/o. late Tarakdas Chatterjee, village Chotabaharkuli, p.o. Baharkuli, Burdwan.
Katwa ..	Subdivisional Officer, Katwa ..	Shri Jagatpati Ghosh, S/o. Harendra Narayan Ghosh, village Goalpara, p.o. Baharan, Burdwan.	1. Subdivisional Officer, Katwa. 2. District Agricultural Marketing Officer, Burdwan. 3. Secretary, Ketugram Thana Large-sized Agricultural Co-opertive Marketing Society Ltd., p.o. Kandra, district Burdwan. 4. Chairman, Katwa Municipality Burdwan. 5. Shri Biplab Mukherjee, village Malhati' p.o. Dainhat, district Burdwan. 6. Shri Bhabendra Nath Chatterjee, village Akhra, p.o. Dainhat, Burdwan. 7. Shri Apurba Mohan Goswami, village Kanaidanga, p.o. Kaichar, district Burdwan. 8. Md. Mustafa, village & p.o. Ketugram, district Burdwan. 9. Shri Arun Chatterjee, village Ramjibanpur, p.o. Ketugram, district Burdwan.

By order of the Governor

P. GHOSAL,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF POWER

NOTIFICATION

No. 4190-Power. — 9th August 1974. — Whereas the opinion of the Governor it is necessary for curing the maintenance of supply of electrical ergy which is essential to the life of the commu-ty, to regulate the supply and distribution, use d consumption and trade and commerce therein;

Now, therefore, in exercise of the power con-red by sub-rule (2), and in particular by clauses (e) and (q) of sub-rule (3), of rule 114 of the ence of India Rules, 1971, the Governor is sed hereby to make the following order, namely:

ORDER

. (1) This order may be called the West Bengal trical Energy Control Order, 1974.

) It extends to those areas of West Bengal ding the districts of Cooch Behar, Jalpaiguri, jeeling, West Dinajpur and Malda, which fall in the area of supply of the Calcutta Electric pply Corporation Limited under the Calcutta and strict Consolidated License, 1946, the West ngal State Electricity Board and the Durgapur jects Limited.

3) It shall come into force with effect from the day of August 1974, and shall remain in force e 31st day of October 1974.

The provisions of this order shall have effect thstanding anything inconsistent therewith ained in any other law for the time being in or in any contract, agreement or usage.

2. The supply and distribution and the use and consumption of electrical energy shall be regulated as follows—

(1) Each high voltage industrial consumer shall restrict the drawal of power in accordance with the restricted off-takes shown against the name of the consumer in Schedule B to this order.

(2)(a) All high voltage industrial consumers working for more than five days per week shall observe an additional off-day, so that those which are working seven days in the week will work six days in the week and those which are working six days in the week will work five days in the week.

(b) The provisions of item (a) shall apply uniformly to industries whether they operate on a three-shift or a two-shift or a single-shift basis.

(3) The off-days of such consumers shall be staggered and the industrial units will observe the off-days noted against their names in Schedule B to this order.

(4)(a) In the case of three-shift industrial units reduced to six days working in the week, power within the restricted off-takes prescribed in Schedule B may be drawn for consumption during an additional night shift on the off-day.

(b) In the case of three-shift industrial units reduced to five days working in the week by the operation of this order, power with-

in the restricted off-takes prescribed in Schedule B of this order may be drawn for consumption during the night shift on one of the off-days so as to allow continuous working over six nights and five days.

(5)(a) Industrial units operating two shifts per day which are reduced to six days working in the week, may draw power within the restricted off-takes prescribed in Schedule B of this order over extended shift hours of not more than nine hours per shift per working day.

(b) Industrial units operating one shift per day which are reduced to five days working in the week, may draw power within the restricted off-takes prescribed in Schedule B of this order, over extended shift hours of not more than nine hours for that shift.

(6)(a) Industrial units which operate continuous processes whether with or without furnaces shall come within the purview of sub-paragraphs (1) and (2) of paragraph 2 and of Schedule B to this order.

(b) Industrial units which do not operate continuous processes but which operate furnaces shall not work more than five days a week.

(7) All industrial units referred to in item (a) of sub-paragraph (6) may draw on off-days protective power not exceeding sixty per centum of the restricted off-take prescribed in Schedule B to this order, or the quantity of such power which such units are actually drawing on off-days, in terms of this Department orders No. 6950-Power and No. 6951-Power, dated the 30th December 1972, whichever is less.

Explanations.—(1) "Protective power" in this sub-paragraph, means the minimum quantum of power necessary,—

(*a*) to keep any machine engaged in a continuous process or a furnace in good order, and

(*b*) to prevent the spoiling of raw material in storage or material in the course of processing.

(II) for the purposes of sub-paragraphs (6), (7) and (8) of this paragraph "an industrial unit which operates a continuous process" means an industry appearing under the separate heading "continuous process industries" in Schedule B to this order.

(8) No industrial units mentioned in sub-paragraphs (6) and (7) of paragraph 2 shall use the off-day or days for any purpose other than the preservation of the machine or the materials in the continuous process or the maintenance of the furnace at the temperature required for it to remain in good repair.

(9) All medium or low voltage industrial units shall remain closed between 5-00 p.m. and 10-00 p.m. on each working day.

(10) Shops and establishments defined as such in the West Bengal Shops and Establishments Act 1963 (West Bengal Act XIII of 1963) and premises functioning as such shall not draw electrical power between 8.30 p.m. and 10.30 p.m. on Saturdays and Sundays and between 7-30 p.m. and 10-30 p.m. on other days :

Provided that the provisions of this sub-paragraph shall not apply to the shops and establishments dealing in medicines, in groceries, if this is the main business, or in tobacco, cigars, cheroots, cigarettes, biris, pan, liquid refreshments or ice cream or retained for consumption on the premises.

(11) (a) Air-conditioned restaurants, bars and other places of public entertainment or amusement shall remain closed on one day in the week other than Saturday or Sunday.

(b) The management of each such place shall submit a declartion to the State Government as to the day which is being observed as a closed day:

Provided that nothing in this sub-paragraph shall apply to such places if located in hotels:

Provided further that nothing in this sub-paragraph shall be taken to apply to houses in which cinema or theatrical shows are being exhibited.

(12) Commercial establishments, banks and domestic consumers shall not operate air-conditioning units or room air-coolers between 7-00 a.m. and 9-30 a.m. and between 5-00 p.m. and 10-00 p.m.

(13) (a) Neon and mercury lamps and other high-powered electrical illuminations shall not be used for marriage celebrations or other festive occasions, on advertisement hoardings or for lighting for commercial window display or for fountains:

Provided that such lighting for advertisement purposes can be used between 9-00 p.m. and 12-00 p.m.

Provided further that illumination from standard bulbs may be used in marriage celebrations.

(b) The organisers of any marriage or any other festival or celebration and the owners of the premises upon which or the building within which such marriage or festival or celebration is organised shall be jointly responsible for the observance of the provisions of this order.

(c) The advertising agency which erects any advertisement hoarding and the agency engaged in marketing the product advertised on the hoarding, shall be jointly responsible for the observance of the provisions of this order.

(14) Minor irrigation pumps shall not be operated between 5-00 p.m. and 10-00 p.m. every day.

(15) Nothing in paragraph 2 shall apply to the essential consumers mentioned in the Schedule A appended to this order which the State Government may by notification in the Official Gazette amend from time to time.

3. (1) Police officers not below the rank of Inspector of Police, Factory Inspectors, Inspectors of Shops and Establishments and Electrical Inspectors, in addition to any employee of the Calcutta Electric Supply Corporation Limited, the West Bengal State Electricity Board and the Durgapur Projects Limited authorised by the concerned agency in and for its area of supply, may enter into, search and inspect any premises or places and subject to the provisions of sub-paragraph (2) seize any article or thing, in respect of which he has reason to believe that a contravention of this order has been, is being or is likely to be committed.

(2) Any article or thing seized under the provisions of sub-paragraph (1) shall be conveyed without delay before a Magistrate who may give such directions as to their temporary custody as he thinks fit, so, however, that where no prosecution is instituted for a contravention of the order in respect of the articles or things seized within a period in his opinion reasonable the Magistrate shall direct their return to the person from whom they were seized; and subject to the foregoing provisions of this sub-paragraph, the provisions of the Code of Criminal Procedure, 1973 (2 of 1974), shall, so far as they may be applicable, apply to any search or seizure under the authority of any such order as they apply to any search or seizure under Chapter VII of that Code.

4. (1) The State Government may call for any paper or document, statement, report or return which, in the opinion of the State Government, is relevant for the purposes of this order and any person, organisation, Company or authority shall comply with such requisition.

(2) The State Government may prescribe the form in which the statements, reports or returns mentioned in sub-paragraph (1) shall be submitted.

5. (1) Any authorised employee of the Calcutta Electric Supply Corporation Limited, the West Bengal State Electricity Board or the Durgapur Projects Limited may disconnect the supply of electricity to any consumer who contravenes the the provisions of paragraph 2 of this order.

(2) Such disconnection shall be subject to any general or special orders of the State Government and reconnection may not be granted without the payment of special fees for the purpose.

(3) Action under this paragraph shall be in addition to any penalty which may be imposed under clause (a) of sub-rule (11) of rule 114 of the Defence of India Rules, 1971 or any other law in force.

SCHEDULE A

1. Hospitals.
2. Central Combined Laboratory.
3. Central Medical Stores.
4. Central Drugs Laboratory.
5. Ambulance Service of the State Health Services Transport Organisation.
6. Bengal Immunity Centre.
7. The industrial units manufacturing broad spectrum antibiotics and hormones only in respect of the plants engaged in such manufacture.
8. Water Works.
9. Major Municipal Pumping Stations for drinking water supply or sewage disposal.
10. Calcutta Air Port and Barrackpore Air Field.
11. Dockyard and Port installations.
12. Railway traction and signalling.
13. Tramways.
14. Central Telegraph Office and Tele-communication Centres.
15. Telephone Bhavan and important Telephone Exchanges.
16. All India Radio Broadcasting studios and installations.
17. Defence establishments including Garden Reach Workshop.
18. Collieries.
19. Major Steel Plants.
20. Durgapur Fertiliser Plant of the Fertiliser Corporation of India.
21. Government Dairies.
22. Street lighting.
23. Major daily newspapers.
24. Durgapur Chemicals Limited.
25. Other vital establishments as may be specified by Government from time to time.

SCHEDULE B

Part I

Area of supply of the Calcutta Electric Supply Corporation Limited including former Section 27 Consumers of West Bengal State Electricity Board.

GROUP I

Weekly off-day—Monday

(Agarpara Distribution Station)

Category	Consumer with restricted off-take (kW)
(1)	(2)
Textile Mills	Mohini Mills—945 Basanti Cotton Mills—706

Continuous Process Industries

(Agarpara Distribution Station)

Glass Works	Hindusthan Safety Glass—582
Chemical Works	Bengal Chemical (1)—260 Bengal Chemical (2)—84

(Bhowanipore Distribution Station)

Chemical Works	Indian Oxygen—1,747

(Prinsep Street Distribution Station)

Ice & Cold Storages	Bangasri—145

GROUP II

Weekly off-day—Tuesday

(Belur Distribution Station)

Jute Mills	Bally Jute No. 1—1,607
Textile Mills	Central Cotton—1,014 Victoria Cotton—451

(Gourhati Distribution Station)

Jute Mills	Gondalpara—1,775
Textile Mills	G. I. Society—1,394

(Budge Budge 20 kV)

Jute Mills	Albion—2,221 Lothian—1,972

Continuous Process Industries

(Belur Distribution Station)

Glass Works	Belur—41
Ice and Cold Storages	Bhutoria Bros.—199 Bhartia—84 Government Cold Storage, Howrah—204

(Gourhati Distribution Station)

Category (1)	Consumer with restricted off-take (kW) (2)
Paper Mills	Priti—181
Ice and Cold Storages	Baidyabati—115 Bengal—133 Ambica—158

GROUP III

Weekly off-day—Wednesday

(Garulia Distribution Station)

Jute Mills	Sri Gouri Shankar—938
Textile Mills	Sri Mahaluxmi Cotton—444 Sri Annapurna Cotton—771

(Southern Distribution Station)

Textile Mills	Kesoram Industries—4,258

Continuous Process Industries

(Southern Distribution Station)

Oil Mills	Dulichand Omraolal—95
Ice and Cold Storages	Calcutta Cold Storage—158 Magnolia—34 Spencer & Co.—67

(Prince Anwar Shah Distribution Station)

Miscellaneous	Government Poultry Farm—60
Glass Works	Annapurna—16

GROUP IV

Weekly off-day—Thursday

(Southern Generating Station)

Textile Mills	Poddar Projects—876

Continuous Process Industries

(Bhatpara North Distribution Station)

Paper Mills	Titaghur No. 2—1,934 Titaghur No. 3—1,998

(Ritchie Distribution Station)

Chemical Works	Dey's Medical—250
Ice and Cold Storages	Gin Palace—69 Punjab National—156

(Southern Generating Station)

Chemical Works	Hindusthan Lever No. 1—1,096
Ice and Cold Storages	Brooklyn—23

(Sinthia Distribution Station)

Ice and Cold Storages	Hind—311 West Bengal—133

GROUP V

Weekly off-day—Friday

(Rishra Distribution Station)

Category (1)	Consumer with restricted off-take (kW) (2)
Textile Mills	Sree Durga Cotton—531 Kanoria Industries—270 Bengal Luxmi—782
	Continuous Process Industries
	(Kutighat Distribution Station)
Chemical Works	Bengal Immunity—390
Ice and Cold Storages	Dipak—34 K. K. Saha—41 Hooghly & Ganges Hydraulic Press—260
	(Rishra Distribution Station)
Chemical Works	Alkali Chemical—7,225
Glass Works	Hindusthan National—1,500
Ice and Cold Storages	Mohanlal Premratan—206
	(Foreshore Distribution Station)
Chemical Works	Asiatic Oxygen—510

GROUP VI

Weekly off-day—Saturday

(Canal Distribution Station)

Jute Mills	Surah (Bally Jute Co. 2)—660
Chemical Works	Indian Oxygen—68
	Continuous Process Industries
	(Canal Distribution Station)
Oil Mills	Tata—184
Chemical Works	Bengal Chemical—170 Oriental Gas—34
Marble and Pottery	
Ice and Cold Storages	Hindusthan—558 India—82 Sealdah—36
	(Entally Distribution Station)
Chemical Works	Hindusthan Gas—960
Enamel and Paints	Sur Enamel—60
Marble and Pottery	Bengal Potteries No. 1—969 Bengal Potteries No. 2—576
Ice and Cold Storages	Bhagirathi Baraf—119 Crystal Ice—14 Ganga Ice—143 Vijoy Ice—6

(Budge Budge Distribution Station)

Category	Consumer with restricted off-take (kW)
(1)	(2)
Chemical Works	Hindusthan Gas—740

GROUP VII

Weekly off-day—Sunday

(Barrackpore Distribution Station)

Textile Mills	Bangodaya Cotton—872

Continuous Process Industries

(Barrackpore Distribution Station)

Paper Mills	Titaghur No. 1—3,132
Chemical Works	Hindusthan Heavy Chemical—1,400

GROUP VIII

Weekly off-days—Monday and Tuesday

(Prinsep Street Distribution Station)

Engineering Workshop	Dewars Garage—15
Printing and Stationery	Government of India Forms Press—40

GROUP IX

Weekly off-days—Tuesday and Wednesday

(Belur Distribution Station)

Jute Mills	Naskarpara—816 Sri Ambica—1,145 Sri Hanuman—1,700 Sri Mahadeo—317 Kedar Jute Mfg.—31
Textile Mills	Challenge—69 Salkia Ginning—17 Sri Radhakrishna—26 Modern Jute Textiles—53
Oil Mills	K. M. Prosad Bajaj—179 B. K. Sadhukhan—45 Gopal—69 Haripada Pramanik—37 Mohin—23 Nundy's Eng.—51 R. Basak—22 Satyanarain—39 Sri Gobindo—40 Swaika—189
Flour Mills	Bangabasi—7 Sri Krishna Ganodya—120 Food Products Corpn.—151
Steel Works and Rolling Mills	Agarwal Hardware Industries—264 Agarwal Hardware Works—174 Alakh Behari Steel Rolling Mills—286

Category (1)	Consumer with restricted off-take (kW) (2)
Steel Works & Rolling Mills	Amar Industries—147 Asian Industries—165 Asoke Steel Industries—111 Bengal Hammers—148 Bharat Properties—212 Bharat Iron & Steel—140 Parolia Metal Industries—250 Bhartiya Steel Industries—26 Chowdhury Iron Works—468 Farmania Steel Works—200 Sm. Tara Devi Agarwal—153 Gambhir Steel—306 Ratan Re-rollers—113 Gupta, Howrah Road—28 Hariana Iron—130 Howrah Iron & Steel—952 Howrah Steel & Wire—128 Indo-Japan Steel—1,700 Kailash Steel Rolling—204 Kusum Steel—1,275 Lillooah Steel & Wire—425 Keeran Iron & Steel—349 M. S. Industries—202 M. R. Prosad—43 New Asia Steel—153 Orient Iron & Steel—255 Orient Steel & Wire—1,930 Rajasthan Wire Industries—128 Gupta, Gowshala Road—139 R. S. Juliram Shamball—239 Raghunath Prosad Phool Chand—50 Sajjan Industries—64 Sanganeria—357 Sri Hanuman Steel—164 Sri Bajrang Elec. Steel—704 Sri Bajrang Iron Industries—145 Sri Luxmi Iron & Steel—281 Sri Raghunath—155 Sri Ambica—225 Sri Durga—132 Sri Gopal—5 Sri Vishnu—281 Sri Steel Works—64 Steel Equipment—161 Sun Rolling—199 Sun Steel Industries—218 Swastika Steel & Allied—175 United Rolling—110 Aluminium Cable & Cond.—216 Puspa Rolling—94
Engineering Workshops	Abrasive & Casting—69 Agarwal Inds.—60 Star Rolling Mills—161 Ajmera—13 Atlas Foundry No. 2—2 Bajrangbali—585 Banerjee Chakraborty—45 Bombay Safe & Steel—36 Shiva Durga Iron Works—38 Bridge & Roof—633 Beekay Industries—165 Cromolite—280 D. N. Singha—55 Daga Eng. Industries—72 Ganesh Industries—148 Ganges Eng. Works—12 Golden Steel—731

Category (1)	Consumer with restricted off-take (kW) (2)
Engineering Workshops	Hind Galvanizing & Eng.—261 Hindusthan Elec.—97 Hooghly Docking & Eng.—255 Howrah Trading—41 Howrah Eng. Concern—5 India Inds. Works—3 Jayswal Eng.—6 Jindal (India) P. Ltd.—136 Marshall Sons & Co.—94 Marwar Galvanizing & Iron—5 Metal Products & Eng.—17 Peoples Docking & Eng.—23 Pioneer Iron & Steel Corpn.—82 R. K. Industries—123 Reyrolle Burn—102 Shiva Wire & Steel—68 Sri Hanuman—298 Ralia Ram Agarwal—100 Star Iron Works—100 Bharat Steel & Wires—102 Steel Casting Pvt. Ltd.—382 Gopal Iron & Steel—170 Sri Krishna—77 Steel Fittings—35 Sur Bros.—38 Thakur Das Sureka No. 1—106 Thakur Das Sureka No. 2—5 Victory Industries—164 Victory Iron Works—106 Vijoy Industries—55 Vijoy Iron Foundry—100 W. B. Chain—17 Lalchand Modhablal—108 Shibani Iron & Steel—170 R. S. Industries—128
Rubber Works	East India No. 1—312 East India No. 2—109 India Rubber Mfg.—148 Kemrub—113 R. B. S. Jain—117 Shankar—204
Printing and Stationery Works	Hooghly Ink—86
Rope & Belting	Ghusury Rope (W. H. Harton & Co. Ltd.)—83
Chemical Works	Industrial Trading Corpn.—115 Sett Chemical Works—84
Jute Press	Bandaghat—42 Hanuman—92 Salkia—66
Miscellaneous	National Packing—90 Plastic Moulders—94 Harbanslal Malhotra No. 1—490

(Prince Anwar Shah Distribution Station)

Category	Consumer with restricted off-take (kW)
(1)	(2)
Engineering Workshops	Maya—44 National Instruments—530 Usha Sewing Machine—1,587
Enamel and Paint Works	India Paint—23
Saw Mills	Nu Built Furniture—17
Film Studios	New Theatre No. 2—15 Radha—4

(Nangi-Budge Budge Distribution Station 20 kV)

Jute Mills	Calledonian—1,326 Cheviot—1,551

(Majerhat Distribution Station)

Engineering Workshops	A. Stock & Co.—102 Bharat Elec. Industries—263 British Elec. & Pumps—60 C. Comens—57 Elec. Cables & Cond.—46 Engel India—68 Greaves Foresco—108 Hopes Metal Windows—51 India Elec. Works—10 J. J. H. Industries—89 J. K. Business—41 J. Stone—278 Aluminium Cable & Conductors—153 Betram Scott—76 Bestobell—130 Kilburn & Macneill Barry Ind. Estate—408 Lynx—5 Macneill & Barry—143 M. C. Mowjee No. 1—149 M. C. Mowjee No. 2—97 Molins India—250 Republic Engineering—41 Sanganeria Enterprise—13 Vijoy Industrial Works—85 Tecalemit Hind—60 Rehabilitation Industries—150 Industrial Metal Works—73 Chopra Motors—54
Textile Mills	Bharat Woollens No. 1—62
Paper Mills	Mahabir Paper & Board—212
Steel Works and Rolling Mills	Calcutta Iron & Steel—6 Steel Rolling Mill of Hindusthan—2,646
Chemical Works	East India Pharm.—410 Guardian Plasticote—160 Indian Oxygen—334 Metal Chemical—41
Rubber Works	Asian Industries—62

Category (1)	Consumer with restricted off-take (kW) (2)
Printing and Stationery	Rolls Print—132 Coats of India—179
Barley and Biscuit Works	Britannia Biscuits—546 Modern Bakeries—77
Miscellaneous	Liptons—213 Lloyds Bitumen—17 Reckitt & Colman No. 1—121 Reckitt & Colman No. 2—200 Synthetic Moulders—128 Union Carbide, Taratolla Road—255 Vinar—260 Eyre Smelting Works—75 Pioneer Plastic Works—145
Jute Mills	Indian Central Jute Co.—29
Film Studios	East India—24 Bose Brothers—36 Technician—31 Indrapuri—30 New Theatre No. 1—63

(Garulia Distribution Station)

Jute Mills	Shamnagore South—97
Textile Mills	Dunbar—2,450
Engineering Workshops	Hisdusthan Aircraft—142 Hindusthan Development Corpn. 2—255
Chemical Works	Jayer—51
Miscellaneous	W.B. Govt. Brick Factory—166

(Gourhati Distribution Station)

Jute Mills	Angus—1,870 Dalhousie—1,071 Northbrook—1,224 Shamnagore North—1,955 Victoria—1,563
Engineering Workshops	Bellis & Corcom—22 Braith Waite—745 Lagan Jute Mach. Mfg.—207

Continuous Process Industries

(Belur Distribution Station)

Vegetable and Ghee Products	Swaika Vanaspati—459
Engineering Workshops	Shalimar Industries—406 Shalimar Wires & Industries—286

(Prince Anwar Shah Distribution Station)

Glass Works	Central Glass & Ceramic Inst.—301
Lamp Factories	Bengal Electric—327

(Nangi-Budge Budge Distribution Stn. 20 kV)

Shoe and Tanning Factories	Bata Shoe—3,913

Category (1)	Consumer with restricted off-take (kW) (2)
(Majerhat Distribution Station)	
Engineering Workshops	Air Conditioning Corporation—150 Elec. Industrial Corporation—1,003 India Hard Metal—546 Steel & Allied Products No. 2—434
Steel Works and Rolling Mills	Chaliha—322
Chemical Works	Allied Resins (Budge Budge)—359 Allied Resins (Hide Road)—128
Miscellaneous	Everlite Insulating Ind.—325 Metals & Ores—1,105 Union Carbide (Transport Depot Road)—510
Vegetables and Ghee Products	Hindusthan Development—629
(Garulia Distribution Station)	
Enamel and Paint Works	Bengal Enamel—161 Enamelnagore Dev.—115

GROUP X

Weekly off-days—Wednesday and Thursday

(Southern Generating Station)

Category (1)	Consumer with restricted off-take (kW) (2)
Jute Mills	Clive—75
Engineering Workshops	A.E.I., Taratolla—436 B.B.J., Taratolla—32 G.E.C., Paharpur—634 Indian Die Casting—23 Machino Techno—197 Industrial Containers—291 Central Inland Water Transport Corpn.—425 Ship Repairers—11 Tractors India—64 Union South Jute Mill—28
Steel Works and Rolling Mills	Khamchand Rajkumar Works—36 Steel Rolling Mill of Bengal—697 Arum Steel (Khemchand No. 2)—470
Chemical Works	Universal Petro Chemicals—100 Burma Lime & Chemical—50
Miscellaneous	Asbestos Cement—238 Caltex No. 1—69 Caltex No. 2—68
(Bhatpara North Distribution Station)	
Jute Mills	Kankinarrah—1,594 Nafar Koley—572 Reliance—2,081
Engineering Workshops	Koley—79

Weekly off-days—Wednesday and Thursday

(Southern Distribution Station)

Category (1)	Consumer with restricted offtake (kW) (2)
Jute Mills	Hooghly—1,292
Engineering Works	Avery & Co. India Ltd.—95 B.B.J. Construction—164 B.I.E.C. Co., Mayurbhanj Road—128 B.I.E.C., Hide Road—125 Balgopaldas Iron & Steel—32 Berapukur Iron Works—102 Braithwaite (Clive Works)—1,150 Machinery Mfg. Corpn.—567 Metal Box No. 1—444 Metal Box No. 2—781 P. & T. Alipore Workshop—238 Robert Hudson—62 Siemens—85 Steel Products—4 Stewart & Lloyds No. 1, Hide Road—123 Stewarts & Lloyds No. 2, Taratola Road—62
Chemical Works	E.A.J. Minerals—34
Tobacco & Match Factories	Imperial Tobacco/India Tobacco—640
Shoe & Tanning	Trot Shoe Co.—92
Miscellaneous	American Refrigerator—155 Bengal Ingot—102 Brooke Bond—226 Indian Oil—113 Shalimar Tar—212
Steel Works & Rolling Mills	Aminchand Payrelal—51

Continuous Process Industries

(Southern Generating Station)

Category (1)	Consumer with restricted offtake (kw) (2)
Saw Mills	Paharpur Cooling Towers—125
Lamp Factories	Electrical Lamp Mfg.—1,184

(Bhatpara North Distribution Station)

Rubber Works	Incheck Tyres—1,850

(Southern Distribution Station)

Engineering Works	Steel & Allied Products—532

GROUP XI

Weekly off-days—Thursday and Friday

(Sinthia Distribution Station)

Category (1)	Consumer with restricted off-take (kW) (2)
Paper Mills	Bharat Board—58 Himalaya Paper & Board—302 Pioneer Paper & Pulp—102 Union Paper Board—450 Asiatic Boards—54 Baranagore Boards—79 Sri Gopinath—73
Steel Works & Rolling Mills	Hindusthan Iron & Steel—2,677 J. B. Iron Industries—2 L. K. Steel Industries—85 Mrs. Ram Adhar Jaiswal—15
Enamel & Paint Works	East India Paint & Chemicals—11
Barley & Biscuit Works	National Food Products—153
Flour Mills	Calcutta—278 Nandan Bagan—70 United—187 New India—204 Marwari—238
Film Studio	National Sound Studio—42
Oil Mills	Doyal No. 1—43 Ganesh—51 Mokshada—47 Sarbamangala—67 Sri Sivagouri—72 Ultadanga—81 Agnihotra—53 Bhagat—133 Biswalaxmi—46 D. N. Sadhukhan—40 Doyal No. 2—36 Hari C. Garai—62 Rai Charan No.1—67 Sambhu Nath—47 Sree Sankar No. 2—41 Annapurna—62 R. B. Sadhukhan—53 Bharat—48 Chuni—65 Debendra—80 Surendra—40 Sri Durga—85
Rubber Works	Asso. Rubbers & Plastic—226 Bhattacharjee—7
Miscellaneous	Gramaphone Co.—884 Great Indian Plywood—3 East Anglia Plastics—225 P. C. Mazumdar & Co.—100 United Cereals Products—43 Forward Engg. Syndicate—80
Textile Mills	Jyoti Weaving Factory—100 Sarat—26 Vinar—298

Category (1)	Consumer with restricted offtake (kW) (2)
Engineering Workshops	A. T. Gooyee Metal Works—64 Associated Aesby Ind.—80 Carter Pooler—60 Const. Machinery Corpn.—28 Electrical Mfg.—500 Jessop—4,000 Jessop Training School—26 K. G. Zipper—53 Lansdowne Jute Mill—374 Motor Mach. Mfg.—72 National Engg. Inds.—149 Nundy & Co.—60 Sudsons—200 Veegal Engine & Engg.—90 Wesman Engg.—80
Saw Mills	Bhattacharjee—25 N. R. Ghosh—9
Aluminium Workshops	Aluminium Mfg.—449 A. P. V. Engg.—150 Eastern Aluminium—22
Printing & Stationery Works	Coates of India—5 N. K. Gossain—51
Chemical Works	Dr. Paul Lohman—114
(Rishra Distribution Station)	
Jute Mills	Hastings—2,000 India—2,516 Presidency—41 Sri Lachminarayan—82 Wellington—1,541
Textile Mills	Bengal Fine—370 Jayshree Textiles & Inds.—1,384 Madura Mills—332 Rampuria—850 Sri Ram Silks—385
Engineering Workshops	India Commerce & Ind.—55 India Tack & Nail—102 S. K. Chakravarti—27 Sri Engg. Products—240
Chemical Works	Pigments & Chemicals—14 Tata Fison—200 Indian Yeast—729
Steel Wks. & Rolling Mills	Fort William—556 Govind Steel—128
Vegetable & Ghee Factories	Kusum Products No.2—10
Rope & Belting Works	Bengal Belting—36 Hindusthan—29 Serampore—77 India—29
Paper Mills	Asoke International—64
Marble & Pottery Works	Indian Hume Pipe—9
(Ritchie Distribution Station)	
Engineering Workshops	Annapurna Metal—72 Hindustan Dev. Corpn.—261 Mackintosh Burn—53
Chemical Works	Calcutta Chemical—82
Steel Works & Rolling Mills	Bhartia Elec. Steel—3,380
Miscellaneous	Nylon Carpet—140

(Kutighat Distribution Station)

Category	Consumer with restricted off-take (kW)
(1)	(2)
Jute Mills	Baranagore—1,94 9
Textile Mills	Bharat Woollen—128 Sri Ambica Processing—174
Engineering Workshops	Rehabilitation Inds.—350 Usha Automobile—156 Anand Metal—36 A. K. Sarkar—17 Bharat Barrel & Drum—145 East Bengal—62 Electromedical & Allied—22 Special Engg. Service (FAG India)—337 Oriental General Inds.—199 Small Indust. Service Inst.—85
Paper Mills	Kasipur—113 Diamond Prod.—169
Flour Mills	Shree Laxmi—366
Jute Press	Atlas & Union—157 Suraj—113 Vishnu—18 Ashcraft—51 Chitpore—82 Cossipore Hydraulics—60 Lohia—102 Ocean—60 Sun—62
Printing & Stationary	Shree Saraswati Press—179
Film Studios	Eastern Talkies—13
Enamel & Paint	P. C. Chanda—51

(Foreshore Distribution Station)

Jute Mills	Bharat—587 Howrah—1,562 Fort William—1,632
Textile Mills	Arati—210
Engineering	Binani Metal Works 2—166
Workshops	India Machinery—74 Provat Works—77
Printing & Stationary	Ganges Printing—123
Steel & Rooling Mills	Binani Metal Works No. 1—45 G & H Shaw—128
Flour Mills	Reform—390 Shree Ganga—110 Howrah—43
Oil Mills	Howrah—43
Marble & Pottery Works	Burmah Stone & Lime—58
Rope & Belting Works	Ganges Rope—327
Chemical Works	John Patterson & Co.—39 Tide Water Oil—40

Continuous Process Industries

(Sinthia Distribution Station)

Category (1)	Consumer with restricted off-take (kW) (2)
Paper Mills	Eastern Paper Mills—280
	(Rishra Distribution Station)
Chemical Works	Bangalore White Lead—45 D Waldie—143 Phosphate—555 Waldies Zinc Pigment—126
Steel Works	J. K. Steel—1444
Vegetable & Ghee Factories	Kusum Products No. 1—1252
	(Ritchie Distribution Station)
Engineering Workshops	Deepak Inds.—230
Chemical Works	Dey's Medical—630
Miscellaneous	Bharat Bhattery—136
	(Kutighat Distribution Station)
Engineering Workshops	Electric Construction & Equipment—250
Tobacco & Match Factories	Western India Match—1238
Shellac Inds.	Angelo Brothers—329
Miscellaneous	Krishnalal Thirani—136 National Carbon—827
	(Cossipore Generating Station)
Miscellaneous	Carbon Products—531
	(Foreshore Distribution Station)
Engineering Workshops	Burn & Co. (Howrah)—4148
Paper & Board Mills	India Card Board—442

GROUP XII

Weekly off-days—Friday and Saturday

(Strand North Distribution Station)

Oil Mills	Annapurna—47 Bhadrakali—41 Gopal—41 Nundy—41 Shanti Pure—62 Shree Durga Pure—51
	(Shalimar Distribution Station)
Jute Mills	Bengal—125
Engineering Workshops	A. J. Mains—26 B. M. & S. C. Sett—9 Guest Keen Williams—13430 Ind. Electrodes & Bearings—60 Ramchandra Hiralal—84 Remington Rand—510

Category (1)	Consumer with restricted offtake (kW) (2)
Glass Works	Sri Govind Deo—77
Flour Mills	Bengal—577 Hooghly—354 Master Stores Ltd.—291
Printing & Stationary	Ganges Printing Ink—119
Rope & Belting Works	Shalimar Ropes—378
Miscellaneous	J. D. Jones—115 Indian Oil Corpn.—149
Continuous Process Industries (Shalimar Distribution Station)	
Engineering Workshops	Port Engineering Works—351 Sankey Electrical & Stampings—480 Shalimar Works—204
Saw Mills	Calcutta Builders Stores—87 Shalimar Inds.—289
Enamel & Paint Works	British Paints—170 Shalimar Paints—248

GROUP XIII

Weekly off-days—Saturday and Sunday

(Entally Distribution Station)

Jute Mills	Union North—837
Chemical Works	Imperial Chemical—11
Textile Mills	Nippon Indon—82 Star—23
Steel & Rolling Mills	Ram Tarak Ind—4
Rubber Works	Central—194 South India Rubber—85 New India—235 Hind—97 International—41 Olympia—82 Paramount—9 Herschel Rubber Equip.—34
Lamp Factories	Philips—126 Universal Lamp—14
Enamel & Paints	Napier Paints—40
Shellac Inds.	Shellac Inds.—64
Printing & Stationery	G.C. Law—31 Eagle Lithograph—105
Engineering Workshops	Abasives & Castings—77 Arim Metal Ind.—127 Gestetner Duplicators—120 Gresham & Craven—171 Kem Engg. No. 2—18 Philips India—300 Saxby & Farmer-2—76.5 Saxby & Farmer (Convent Rd.)—212 Sur Iron & Steel—44 Sur Enamel & Stampings—54 Sur Ind. Canal St.—31 Hindusthan Bobbin Ind.—166 Bengal Wire Nail—28 I.R.C. Weldmesh—60

Category (1)	Consumer with restricted offtake (kW) (2)
	(Entally Distribution Station) (Contd.)
Shoe & Tanning Factory	Hindusthan Tannery—110 I.E.C. Ltd.—136 National Tannery No. 1—176 National Tannery No. 2—22
Bone Mills	Empire—17 National—176
Saw Mills	Canton Carpentry—77 Kem Engg.—31 Mansfield—38 Harison Trading— 47
	(Canal Distribution Station)
Jute Mill	Calcutta—609
Engineering Works	Blackwood Hodge—2 Das Steel Inds.—7 Electric Mfg.—60 Oriental General—1,020 Jiban Krishna De & Bros.—30 Reed & Camb Mfg.—77 Small Tools Mfg.—273 United Flashlights—34
Steel & Rolling Mills	Indian Steel Co.—118 Ashoke Fabricating—151 Govinda Sheet & Metal Works—138 Ram Rolling—179
Rubber Works	Kadar—245 Kohinoor—5 K. P. Mondal—31 India Rubber Goods Mfg.—92
Flour Mills	Imperial Roller—18 Narkeldanga Roller—143 Bagree Cereals—170
Barley Biscuit Works	Kolay Biscuits—102 Lily Biscuits—45 Lily Barley—39
Marble & Potteries	I. P. Stone—52
Printing & Stationery	F. N. Gupta—17
	(Bhatpara Distribution Station)
Jute Mills	Alliance—1,462
(3.3 kV)	Anglo-Indian—3,060 Auckland—1,705 Waverley—1,020
(6 kV)	Alexandra—993 Megna—2,340
Textile Mills (3.3 kV)	Wool Combers—731
Engineering Workshops	National Pipes & Tubes—623
Steel Works & Rolling Mills	National Rolling—1,500 National Insulated—1,102
Vegetable & Ghee Factories	Hindusthan Lever—1,485
Miscellaneous	Chloride India Ltd—1,362

(Budge Budge Distribution Station)

Category	Consumer with restricted offtake (kW)
(1)	(2)
Jute Mills	Budge Budge Amalgamated—1,207
Engineering Workshops	Kesoram Engg.—2 Indian Chain—64 S. F. Products—243 Usha Telehoist—87
Saw Mills	Albion Plywood—90 Andaman Timber—94
Miscellaneous	Burmah Shell-Main—187 Burmah Shell-Inf.—67 Esso Standard Eastern Inc.—102 B. D. Khaitan—51
(Belur 20 kV)	
Steel Works & Rolling Mills	National Iron & Steel—4,148
(Cossipore 20 kV)	
Railway Works	Eastern Railway—Lillooah—2,533
Continuous Process Industries	
(Entally Distribution Station)	
Chemical Works	Smith Stanistreet—121
Rubber Works	National—1,492
(Budge Budge Distribution Station)	
Miscellaneous	India Carbon—82
(Cossipore 20 kV)	
Aluminium Works	Indian Aluminium—4,500

GROUP XIV

Weekly off-day—Sunday and Monday

(Agrapara Distribution Station)

Chemical Works	Henry S. Clark—109 Indian Mineral Industries—146
Jute Mills	Agarpara—1,394 Kamarhati—1,785 Prabartak—630
Textile Mills	East India—621 Oriental Cotton—51 Bengal National—133 Hindusthan Cotton—44 Nava Bharat National Ind.—50
Engineering Works	Coles Cranes—103 Indian Malleable—62 Power Transmitting & Casting—200 Oriental Elec. & Engg.—132 Rajasthan Pipes—38 Textile Machinery Corpn.—6,000 A.V.J. Wires—159 Capstan Wire Products—109 Harbans Lal Malhotra No. 2—727 Prokash Industries Corpn.—39 R. M. Industries—72 Shekar Iron Works—164 Shew Shankar Engg.—75 Beni—309

Category (1)	Consumer with restricted offtake (kW) (2)
(Agarpara Distribution Station)	
Steel Works & Rolling Mills	Hindusthan Iron & Steel—4 Asoka Iron—149 Kajaria Bros./Jagmohon Ind.—134 Katia Steel—184 P. N. Industries—118 Popular Iron & Steel—92
Rubber Works	Bengal Waterproof—266 Shree Krishna Rubber Works—150
Miscellaneous	Indian Foils—1,708 National Strach Products—133 Indian Oxygen—993
Marble & Pottery Works.	Hind Ceramic—90
(Barrackpore Distribution Station)	
Jute Mills	Eastern Mfg.—679 Empire—878 Kelvin—1,224 Khardah—1,925 Kinnison—2,000 Titagarh 1 & 2—2,491
Engineering Workshops	Hind Wire—220 Indian Pin—204 Kusum—393 Modern India—347 Pioneer Wire—148 Standard Inds., Titagarh—592 Johnston Pumps (I)—210
Textile Mills	Calcutta Silk—104 W. B. S. Handloom—6 Vidyasagar—53
Steel Works & Rolling Mills	Agarwal—1,360 Bengal—561 Calcutta—1,241 Electro Steel—6,200 Hindusthan Wires—1,450 Jayswal Ind.—148 Rajmata—159
Chemical Works	Associated Pigments—102
Enamel & Paints	Murarka Paints—82
(Belvedere Distribution Station)	
Jute Mills	Belvedere—63 Delta—1,632 National Co.—4,049
(Fort Gloster Distribution Station)	
Jute Mills	Fort Gloster—3,870 Lawrence—10
Textile Mills	Bowreah Cotton—2,816

Category (1)	Consumer with restricted offtake (kW) (2)
	(Font Gloster Distribution Station)
Jute Mills	Gagalbhai—1,316 Ludlow—3,020 Premchand/India Burlap—1,320
Textile Mills	Shree Hanuman Cotton—272
Engineering Wks.	Shree Hanuman Foundry—109
	Continuous Process Industries
	(Agarpara Distribution Station)
Engineering Wks.	Oriental Metal Ind.—106
Tobacco & Match Factories	National Tobacco—673
	(Barrackpore Distribution Station)
Chemical Works	Jayashree Tea & Ind.—296
Marble & Potteries	Sodepur Potteries—165

SCHEDULE B

Part II

Area of supply of the West Bengal State Electricity Board

GROUP I

Weekly Off-day—Monday

Iron, steel Casting and Rolling	Bhagabati Steel Industries (P) Ltd.—461
Textiles	Jatia Cotton Mills—212 Siddeswari Cotton Mills—882
	Continuous Process Industries
Paper Mills & Industries	East End Paper Industries Ltd.—747
Glass Works	Window Glass Ltd.—235
Ice & Cold Storages	Prafulla Cold Storage—134 Tarakeswar Cold Storage—191 Basudevpur Cold Storage—152 Nalikul Cold Storage—148 Singur Cold Storage—246 Chowdhury Cold Storage—128 Deshbandhu Industries & Cold Storage—116 Shri Ramkrishna Cold Storage—195 S. R. Cold Storage—73 Pandua Cold Storage—142 Deshbandhu Cold Storage—70 Kashinath Cold Storage—123 East India Cold Storage—122 Bhanderhati Cold Storage—190 Taraknath Cold Storage—88 Chandi Cold Storage—145 Umesh Cold Storage—290 Kunti Co-operative Cold Storage—119 Harinkhola Ice & Cold Storage—128 Champadanga Cold Storage—117 Jangipara Cold Storage—104 Tarakeswar Pursurah Co-op. Cold Storage—74 Pallishree Cold Storage—106 Gourhati Cold Storage—170

Category (1)	Consumer with restricted offtake (kW) (2)
	Continuous Process Industries
Ice & Cold Storages	Narayanpur Cold Storage—174 Ashutosh Cold Storage—250 Rabindra Cold Storage—130 Ratan Cold Storage—110 Sankar Cold Storage—72 Dhirendra Narayan Cold Storage—78 Shree Shree Ma Cold Storage—70 Gopikishan Industries Ltd.—85 West Bengal Warehousing Corpn. (Cold Storage). —594 Damodar Cold Storage—106
	GROUP II
	Weekly Off-day—Tuesday
Textiles	Hada Textile & Industries Ltd.—1,200
	Continuous Process Industries
Ice & Cold Storages	Port Canning Ice & Food Preserving factory—150 Das Brothers Ice Factory—369 Manohar Cold Storage—170 Jabarani Ice Factory—128
	GROUP III
	Weekly Off-day—Wednesday
Textiles	Eastern Spinning Mills—715 Kalyani Spinning Mills (Habra)—900
	Continuous Process Industries
Paper Mills and Industries	Everest Paper Mills (P) Ltd.—598
Glass Works	Krishna Glass & Silicate Works—85
	GROUP IV
	Weekly Off-day—Thursday
Textiles	Kalyani Spinning Mills (Kalyani)—1,514
	GROUP V
	Weekly Off-day—Friday
Textiles	Manindra Mills Ltd.—229 Bengal Textile Mills—280 Debendra Cotton Mills—51
Jute Mills & Machineries	Nuddea Jute Co. Ltd.—2,155 The Gourepore Co. Ltd.—2,642
	Continuous Process Industries
Paper Mills & Industries	Indian Paper Pulp Co.—1,825
Ice & Cold Storages	Kalna Cold Storage—105 Hemraj Cold Storage—85 Berhampore Cold Storage—110 Haraprasad Dutta (Kandi)—50 Khajurdihi Samabaya Himaghar—50

Category (1)	Consumer with restricted offtake (kW) (2)
GROUP VI	
Weekly Off-day—Saturday	
Nil	
GROUP VII	
Weekly Off-day—Sunday	
Misc. Industries	Bengal Salt Co.—144
Textiles	Saktigarh Textile & Industries—557 Mayurakshi Cotton Mills—396
Continuous Process Industries	
Misc. Industries	Kesoram Rayon—5,984
Paper Mills & Industries	Tribeni Tissues Ltd.—4,760
Pharmaceuticals & Chemicals	Standard Pharmaceutical Works—3,350 Birla Jute Mfg. Co. (Calcium Carbide Divn.)—7,910
Ice & Cold Storages	Cooling & Ventileting Corpn.—166 Gorbeta Ice & Cold Storage—266 Radhanagar Cold Storage—149 Ghatal Bandar Cold Storage—164 Mondal Cold Storage—170 Nirmal Cold Storage—102 Ghatal Central Co-operative Cold Storage—94 Santi Ranjan Cold Storage—128 Govt. Cold Storage, Kanai Natsal—81 Jessoria Ice Factory—50 Golok Cold Storage—86 Memari Cold Storage—181 Kalimata Cold Storage—180 Burdwan Cold Storage—102 Biswanath Cold Storage—110 M. Ambika Cold Storage—78 Sarada Cold Storage—160 Mogra Cold Storage—207 Poddar Cold Storage—106 B. N. Dey Cold Storage—100 Hemanta Cold Storage—221 Saktigarh Cold Storage—71 Vikrampur Cold Storage—201 Bulbulitola Cold Storage—115 Govt. Cold Storage, Amlagora—50 Visweswari Ice & Cold Storage—105 Vijoy Cold Storage—58 Bokaria Ice & Cold Storage—71 Maskara Dasrapuria Cold Storage—173 Kailash Cold Storage—73 Sarada Ice Mfg. & Refrigeration Co.—82 Annpurna Cold Storage—50 S. B. Cold Storage—128 Rameswarpur Cold Storage—128
GROUP VIII	
Weekly Off-days—Monday and Tuesday	
Misc. Industries	Rubber Udyog Bikas (P) Ltd.—136 Mogra Manure Mills—50 Bindwalla Industrial Corpn.—130 Birkmyre Brothers—85

Category (1)	Name of the consumer with restricted offtake (kVA) (2)
Jute Mills & Machineries	Lagan Jute Machinery Ltd.—133
Paper Mills and Industries	Shri Durga Board Mills Ltd.—128
Iron, steel Casting & Rolling	Serampur Industries—82 Eastern Construction Co.—50 The Pench Steel Ltd.—3,400 Andhra Steel Corpn.—3,774
Textile	West Bengal Co-operative Spinning Mills—50
Phermaceutical and Chemicals	Hoyle's Paints Ltd.—127
Rice Milling & Crushing, Sugar and oil mills	B. K. Roy (P) Ltd.—84 Arambag Sugar Mills—50 Azad Rice Mills—76

GROUP IX

Weekly off-days—Tuesday & Wednesday

Misc. Industries	Dominion Rubber Co. (P) Ltd.—50 K. B. Saha Engg. Co.—145 Dhakuria Engg. Co.—50 Industrial Service Engr. (P) Ltd.—89 Wheeler Industries—50 Premier Irrigation & Equipments (P) Ltd.—72 Ancillary Suppliers—50 Precision Tools—62 Noakhali Machine Tools Ltd.—77 Jupiter Rubber (P) Ltd.—51 Carrera Marble & Terrazo Co.—58 Gayson & Co. (P) Ltd.—50 Acme Corporation—228 Bengal State Co-operative Marketing Federation—57 Dunlop (I) Ltd.—10,638
Paper Mills & Industries	Eastern India Paper Mills—50
Iron, Steel Casting and Rolling	Bharatia Electric Steel—297 Ferro-Coatings & Colours Ltd.—121
Textiles	Shri Loknath Cotton Mills—54
Pharmaceuticals & Chemicals	Bengal Chemical Syndicate Industries (P) Ltd.—50 Dabur (Dr. S. K. Barman)—50 Shalimar Chemical Works—82 Lala Chemical Corpn.—50 Jay Glass and Chemicals—166
Engineering Industries	Joy Engg. Works Ltd.—865 Hindusthan Small Tools, 1st Point—152 Hindusthan Small Tools, 2nd Point—56 Hindusthan Metal Refining Works (P) Ltd.—50

GROUP X

Weekly off-days—Wednesday and Thursday

Misc. Industries	Addross (P) Ltd.—50 Banik Rubber Industries—63 Non-Ferrous Metal Industries—183 Bengal Rope Works (P) Ltd.—81 K. M. Sadhukhan & Sons (P) Ltd.—145 Barman Metal Works—76 Surendra Industries (previous Subodh Industries)—66 Calcutta Spun Pipe—50 Castoll Corporation—256 Diamond Metal Process (P) Ltd.—50 Eastern Mfg. Co.—734 Automative Enterprise—50 Standard Corporation—50 Asiatic Wire Ltd.—120 Enpee Wire Industries—115 Bright Wires Ltd.—213

Category (1)	Name of consumers with restricted offtake (kVA) (2)
Paper Mills & Industries	Card Board Box Mfg. Co.—112 Jain Paper & Board Mills—105 Satish Paper & Board Mills—100 Sunrise Paper & Board Mills (P.) Ltd.—76 R. C. Dey's Paper & Pulp Industries—184 Bhagabati Paper & Board Mills—167 Monindra Board Mills 173 Hanemann Publishing Co. (P.) Ltd.—50 East India Board Mills - 50 Ramkrishna Board & Paper Mills—50
Iron, Steel Casting and Rolling	Eastern National Engg. Works—69 Bhartia Commercial Corpn.- 69 Kosan Malleable Engg. Co.—196
Textiles	Sodepur Cotton Mills—1,001
Pharmaceutical & Chemicals	Rescanel (P.) Ltd.—50 Sulekha Works Ltd.- 50
Rice Milling & Crushing, Sugar & Oil Mills	Lily Biscuit Co. (P.) Ltd.—77
Engineering Industries	Electric Construction & Equipment Co. Ltd.—147 India Can (P.) Ltd. 50 Power Equipment (P.) Ltd.—50 S. B. Foundry Ltd.- -463
Continuous Process Industries	
Pharmaceuticals and Chemicals	Radha Chemicals—156 Organon India Ltd.—319

GROUP XI

Weekly off-days—Thursday and Friday

Misc. Industries	Sen-Pandi Industries Ltd. -601 Davidson of India (P.) Ltd.—365 Ramswaroop Industrial Corpn.—181 Wood Industries Board - 97 Castle Industries -50 National Rubber Mfg. Co.—50
Paper Mills Industries	Handmade Paper Factory, Kalyani -50
Iron, Steel Casting & Rolling	K. R. Steel (P.) Ltd. (Bombay Steel Rolling)—1,700 Bengal Ferro Alloy & Steel Ltd.—2,550 Singh Alloy & Steel Ltd.—50
Textiles	Bengal Fine Spinning & Weaving Mills—467
Rice Milling & Crushing, Sugar and Oil Mills	Sri Gopal Rice Mill—53
Jute Mills & Machineries	Naihati Jute Mills Co. Ltd.—1,316 Hukumchand Jute Mills Co. Ltd.—3,074 The Ganges Mfg. Co.—2,955
Continuous Process Industry	
Misc. Industries	Kalyani Breweries (Previously Rottonjee & Co.)—305

GROUP XII

Weekly off-days—Friday and Saturday

Misc. Industries	Asoke Alluminium Factory—50 Tara Alluminium Corpn.—50 Eastern Rly. Ranaghat Coopers Depot—460 Taps & Dies (Krishnagar)—211 Farakka Barrage Project, Farakka—1,920 Farakka Barrage Project, Dhulian—130 Farakka Barrage Project, Raghunathganj—350
Textiles	Ranaghat Textile Mills—61 Nadia Textile Mills—99 Rehabilitation Industries Corpn., Ranaghat—50 Sree Durga Processing & Finishing Mills—50 Debnath Fabrics—76 Rehabilitation Industries Corpn., Taherpur—62
Rice Milling & Crushing, Sugar and Oil Mills	Ramnagar Cane & Sugar Mills—89 Karni Rice & Flour Mills—171 Bhowanipur Rice Mills—77
Engineering Industries	G. S. Atwal 144

GROUP XIII

Weekly off-days—Saturday and Sunday

Misc. Industries	Ghosh's Estate—56 National Refractories (Balsuk Ceramics)—65 Bihar Potteries—50 Associated Timber Industries—50 B. S. Industries, Saktigarh—77 Great Bengal Salt Co.—50 Fertilizer Corpn. of India—50 Samar Singh Jaiswal (P.) Ltd., Balarampur—268 Samar Singh Jaiswal (P.) Ltd., Jhaldah—93 Bengal Refractories (P.) Ltd.—169 Kangsabati Project—115 Patelnagar Minerals—148 Patelnagar Fire Brick & Potteries—50 Bhojudihi Coal Washery—2,361 Maharaja Cossimbazar Stone Works—50 M. B. Minerals—110 Rehabilitation Industries Corpn.—50 B. S. Industries, Barsul—113 Containers & Closures (New Shed)—247 Containers & Closures (Old Shed)—172 Eastern Rly. Workshop, Kanchrapara—2,362 Eastern Rly. Baroda Bridge—845 Coal Board's Ropeway Scheme, Bhojudihi—300
Textiles	Jayashree Textiles, Midnapore—477
Rice Milling & Crushing, Sugar & Oil Mills	Modern Rice Mills—234 Biswa Janani Oil & Rice Mills—76 Shri Sankar Rice Mills—50 Buddhadev Rice Mills—88 Jaynarayan Rice Mills—102 Vijoy Shree Rice Mills—50 Janakilal Agarwala Oil Mills—70 Sidheswari Rice Mills—50 Shree Guru Rice Mills—50 Vijoy Lakshmi Rice Mills—60 Shree Krishna Rice Mills—75

Category (1)	Name of consumers with restricted offtake (kVA)
Rice Milling & Crushing, Sugar & Oil Mills.—Concld.	Guskara Oil Mills—72 Shridhar Oil Mills—50 Suhasaria Rice & Oil Mills—110 Khandelwala Rice Mills—50 Sarada Rice Mills—82 Radhagobinda Rice Mills—98 Laxmi Shree Rice Mills—88 Probhat Rice Mills—50 Gaurishankar Jhunjhunwala—53 Kundu Rice Mills—50 Radhapada Chandra Gurupada Chandra Rice Mills—229 Sarada Rice & Oil Mills—161 Mollarpur Rice & Oil Mills (Shashi Bhusan Dutta)—178 Sainthia Rice & Oil Mills—65 Maheswari Rice and Oil Mills—50 Sitaram Rice Mills, Rampurhat—142 Hiralal Ramkamal Oil Mills—59 Bharat Laxmi Coconut Oil Mills—112 Orient Rice Mills—50 Sambhog Chand Kapoorchand Rice Mills—50 Gopal Chand Nandi—50 Gouri Sankar Rice Mills—50 Sitaram Rice Mills, Dubrajpur—50 Manasmata Rice Mills—170
Pharmaceutical & Chemicals	Jenson & Nicholson—167 Indian Oil Corporation (Petrolium & Marketing)—94 Indian Oil Corporation (Pipe Line Dn)—63 Indian Oil Corpn. (Haldia)—1,500
Engineering Industries	S. E. Rly. Workshop, Kharagpur—5,925 Gopikrishna Engg. Pvt. Ltd.—190 Panagarh Engg Works—50 Durgapur Engg. Works—50 Appejoy Structural—128 Hindusthan Motors Ltd.—19,158
Iron, Steel, Casting and Rolling	Hanuman Steel Industries—205 Bengal Arc Steel—50 Uma Iron & Steel Co.—54

GROUP XIV

Weekly Off-days—Sunday and Monday

Miscellaneous Industries	Kesoram Industries & Spun Pipe Factory—396 Annapurna Milling Co.—93 Coventry Spring and Engg. Co. Ltd.—136 Delta Ropeworks—219 Howrah Metal Industries—50 Mineral Development Corpn.—340 Oriental Rubber Works—110 D. K Das & Co.—50 Phoenix Rubber Works—68 Howrah United Engg. Co.—50 Chhotanagpur Mineral Agency—76 Shri Biswakarma Industries—50 Basantalal Modhogarhia—131 Dhar Rubber Manufacturing Co.—158 Indian Super Craft Industries—243 Parui & Co.—212 Hind Overseas Pvt. Ltd.—85

Category	Name of the consumers with restricted offtake (kVA)
Miscellaneous Industries—Concld.	Bhattacherjee Bros. Engg. Co.—61 G. K. Engg. Co. Pvt. Ltd.—53 Globe Ropeworks—56 Banshidhar Agarwal—367 Paharimata Iron Works—439 West Bengal Corpn.—117 Dhar & Co.—75 Blue Star Enamel Wire Products—50 Amar Hardware Industries—99 India Machinery—105 J. D. Industries—128 Govt. of India Press, Santragachi—235 Dilip Industrial Corpn.—106 Howrah City Engg. Co.—106 Joyshree Fibre Products Pvt. Ltd.—106
Paper Mills & Industries	Swastik Paper & Board Mills—330
Iron, Steel Casting and Rolling	Indo Japanese Prototype Factory—181 Sankar Iron and Engg. Works—50 East India Metal Co. Pvt. Ltd.—140 St. Paresh Industries—50 Shalimar Iron & Steel Industries—50 Arvinda Fabrications Pvt. Ltd.—50
Industries	Gada Tools Ltd.—202 The Wellman Incandescent (India) Ltd.—66 National Screw & Wire Products—197 Britania Building and Iron Co.—50 Contarman Peipers (P) Ltd.—3,150 National Foundry & Engg. Works—196

SCHEDULE B

Part III

Area of supply of the Durgapur Projects Ltd.

GROUP I

Weekly off-day—Monday

Continuous Process Industry

Graphite Electrods	Graphite India Ltd.—3,000

GROUP II

Weekly off-day—Tuesday

Carbon Black	P.C.B.L.—500

GROUP III

Weekly off-day—Wednesday

Electrical Copper Mines	Indo American Electricals—300
Castings	Jessop and Co.—100

Category	Name of the consumers with restricted off-take (kVA)
GROUP IV	
Weekly off-day—Thursday	
Glass	Ophthalmic Glass Project—400
GROUP V	
Weekly off-day—Friday	
	Nil
GROUP VI	
Weekly off-day—Saturday	
	Nil
GROUP VII	
Weekly off-day—Sunday	
Oxygen & Acetylene	Asiatic Oxygen—100
GROUP VIII	
Weekly off-days—Monday and Tuesday	
Car Wheels	Sankey Wheels Ltd.—100
GROUP IX	
Weekly off-days—Tuesday and Wednesday	
	Nil
GROUP X	
Weekly off-days—Wednesday and Thursday	
	Nil
GROUP XI	
Weekly off-days—Thursday and Friday	
Fire Bricks	Hindusthan Refractories—20 Burn & Co.—50 Hind Refractories—50
GROUP XII	
Weekly off-days—Friday and Saturday	
Fire Bricks	P. I. B. Co.—100
Fabrication	I.M.A.P.—50
GROUP XIII	
Weekly off-days—Saturday and Sunday	
Boiler Manufg.	A.V.B.—500
Industrial Sieves	Hein Lehmann—40
GROUP XIV	
Weekly off-days—Sunday and Monday	
Mining & Allied Machineries	Mining & Allied Machineries Corporation—4,000

By order of the Governor,
C. N. PENN-ANTHONY,
Commissioner and Secy. to the Govt. of West Bengal.

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PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

WEST BENGAL ORDINANCE No. X OF 1974

THE BIDHAN CHANDRA KRISHI VISWA VIDYALAYA ORDINANCE, 1974.

WHEREAS it is expedient to establish and incorporate a University at Haringhata, in the district of Nadia, in West Bengal, for providing facilities for the study of agriculture, animal husbandry and allied sciences and for conducting researches in those sciences;

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (*1*) of article 213 of the Constitution of India, to make and promulgate the following Ordinance, namely:—

CHAPTER I

Preliminary

Short title, extent and commencement

1. (*1*) This Ordinance may be called the "Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(*2*) It extends to the whole of West Bengal.

(*3*) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

(*1*) "academic council" means the academic council of the University;

(*2*) "agriculture" includes basic and applied sciences relating to crop and livestock production, veterinary and dairy sciences, fisheries, forestry including farm forestry, home economics, agricultural engineering and technology, marketing and processing, land use and management, soil and water management and all matters connected therewith or incidental thereto;

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter II.—The University.—Section 3.)

(3) "appointed day" means the date appointed under sub-section (3) of section 1;

(4) "authority" means any authority of the University specified in section 9;

(5) "Board" means the Board of Management of the University constituted under section 10;

(6) "college" means a constituent college which has been established or recognised as such by the University under this Ordinance;

(7) "Faculty" means a Faculty of the University;

(8) "hostel" means a place of residence for the students of the University maintained or recognised by the University;

(9) "Minister" means the Minister-in-charge of the Department of Agriculture of the Government of West Bengal;

(10) "officer" means an officer of the University specified in section 18;

(11) "prescribed" means prescribed by Statutes made under this Ordinance;

(12) "Principal" means the head of a college;

(13) "regulations" means regulations made under section 39 of this Ordinance;

(14) "Statutes" means the Statutes made by the University under section 37 or the first Statutes made by the State Government under section 38 of this Ordinance;

(15) "University" means the Bidhan Chandra Krishi Viswa Vidyalaya constituted under section 3.

CHAPTER II
The University

Incorporation of the University.

3. (1) The first members of the University referred to in sub-section (3) and all persons who may hereafter become members of the University shall constitute a body corporate having perpetual succession and a common seal to be called the Bidhan Chandra Krishi Viswa Vidyalaya.

(2) The following persons shall be the members of the University, namely:—

(a) the Chancellor, *ex-officio;*

(b) the Vice-Chancellor, *ex-officio;*

(c) the Secretary, Department of Education, Government of West Bengal, *ex-officio;*

(d) the Secretary, Department of Agriculture and Community Development, Government of West Bengal, *ex-officio;*

(e) the Secretary, Department of Animal Husbandry and Veterinary Services, Government of West Bengal, *ex-officio,*

(f) the Secretary, Department of Finance, Government of West Bengal, *ex-officio;*

(g) the Secretary or the Joint Secretary-in-charge, Department of Co-operation, Government of West Bengal, *ex-officio;*

(h) a representative of the Indian Council of Agricultural Research, to be nominated by the Council;

(i) the Deans of the Faculties, *ex-officio;*

(j) the President of the Board of Secondary Education, West Bengal, *ex-officio;*

(k) one person to be elected by the teachers from each Faculty not being the Dean, from amongst themselves in accordance with the provisions made by the Statutes in this behalf;

(l) five persons to be nominated by the Chancellor from amongst the agricultural scientists, educationists and persons with special knowledge or interest in agriculture;

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(*Chapter II.—The University.—Sections 4, 5.*)

(*m*) the Director of Agriculture, Government of West Bengal, *ex-officio;*

(*n*) the Director of Animal Husbandry, Government of West Bengal, *ex-officio;*

(*o*) the Director of Veterinary Services, Government of West Bengal, *ex-officio;*

(*p*) the Milk Commissioner, Government of West Bengal, *ex-officio;*

(*q*) two persons to be elected by the students from amongst themselves in accordance with the provisions made by the Statutes in this behalf;

(*r*) two persons to be elected by the registered graduates of the University from amongst themselves in accordance with the provisions made by the Statutes in this behalf; and

(*s*) members of the Board of Management who are not otherwise members of the University.

(*3*) The persons referred to in clauses (*a*) to (*g*), (*j*) and (*m*) to (*p*) shall be the first members of the University.

(*4*) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise, transfer such property, to borrow money, to enter into contract and to do all things necessary for carrying out the purposes of this Ordinance.

(*5*) The principal seat of the University shall be at Haringhata, police-station Haringhata, in the district of Nadia.

Jurisdiction of the University.

4. (*1*) The jurisdiction of the University in teaching, research and extension education programme in the field of agriculture shall extend to the whole of West Bengal.

(*2*) The University may assume responsibility for training of field extension workers and farmers in order to support the State's agricultural production programme and for the establishment, development and operation of agricultural polytechnics as may be required in various parts of the State.

(*3*) All colleges, research and experimental stations, or other institutions coming under the jurisdiction of this University shall be regarded as constituent units of the University under its full management and control, and no unit shall be recognised as an affiliated unit.

(*4*) The University may collaborate with other Universities, research institutes and other scientific and academic institutions pursuing the study of agriculture and sciences basic to agriculture, in making and implementing programmes of common interest for the benefit of agriculture whether such institutions are situated within or outside the State of West Bengal, in order to ensure that the efforts made by all of them become complimentary to one another.

Objects of the University.

5. The University shall be established with a view to fulfilling the following objects, namely:—

(*1*) making provision for imparting education in different branches of study in agriculture, horticulture, veterinary and animal sciences, fisheries, forestry, agricultural engineering, home science and other allied branches of learning and scholarship;

(*2*) furthering the advancement of learning and prosecution of research, in agriculture and other allied sciences;

(*3*) undertaking the extension of educational programme in the field of agriculture to the rural people of the State; and

(*4*) such other purposes as the University may from time to time determine.

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter II.—The University.—Sections 6—8.)

Admission to the University.

6. (*1*) The University shall, subject to the provisions of this Ordinance and the Statutes, be open to all persons provided that nothing in this section shall require the University to admit to any course of study any person who does not possess the prescribed academic standards.

(*2*) Notwithstanding anything contained in sub-section (*1*), the State Government may direct that seats shall be kept reserved for Scheduled Castes, Scheduled Tribes and candidates from other States in India for admission to any of the colleges subject to their fulfilling the minimum standards laid down for admission to such college.

Powers and functions of the University.

7. The University shall exercise the following powers and discharge the following functions, namely:—

(*1*) to provide for instruction in agriculture;

(*2*) to make provision for dissemination of the findings of research and technical information through an extension education programme;

(*3*) to make provision for conducting research in agriculture and allied branches of learning;

(*4*) to institute degrees, diplomas and other academic distinctions;

(*5*) to institute courses of study and hold examinations for conferring degrees, diplomas and other academic distinctions on persons who have—

(*a*) pursued a course of study as prescribed, or

(*b*) carried out research in the University or an institution recognised in this behalf by the University as may be prescribed;

(*6*) to confer honorary degree and other distinctions as may be prescribed;

(*7*) to provide lectures and instruction for field workers, village leaders and other persons not enrolled as regular students of the University and to grant certificates to them as may be prescribed;

(*8*) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine for the purposes referred to in section 4 of this Ordinance;

(*9*) to maintain colleges relating to agriculture, fisheries, dairying, veterinary medicine, animal science, home science, agricultural engineering, forestry and allied sciences;

(*10*) to maintain laboratories, libraries, research stations, institutions and museums for teaching, research and extension programmes;

(*11*) to institute teaching, research and other academic posts and to appoint persons to such posts;

(*12*) to create administrative and other posts and to appoint persons to such posts;

(*13*) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;

(*14*) to provide and maintain residential accommodation for students and staff of the University;

(*15*) to fix, demand and receive such fees and other charges as may be prescribed;

(*16*) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and welfare; and

(*17*) to do all such acts and things whether incidental to the powers aforesaid or not as may be required in order to further the objects of the University.

Inspection by the State Government.

8. (*1*) The State Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University, its buildings, laboratories, and equipment, and of any college, agricultural school,

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter III.—Authorities of the University.—Sections 9, 10.)

experimental station, demonstration farm or other institution established, maintained, managed or recognised by the University, and also of any examination, teaching and other work conducted or done by the University, and may cause an inquiry to be made in like manner in respect of any matter connected with the University:

Provided that the State Government shall in every such case give notice to the University of its intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The State Government shall communicate to the University its views with reference to the results of any such inspection or inquiry, and shall, after ascertaining the opinion of the University thereon, advise the University upon the action, if any, to be taken.

(3) The University shall report to the State Government the action, if any, which is proposed to be taken or has been taken by it upon the advice given under sub-section (2).

(4) When the University does not, within a reasonable time take action to the satisfaction of the State Government, the State Government may, after considering any explanation furnished or representtaion made by the University, issue such directions in writing as it may think fit and the University shall comply with those directions.

CHAPTER III

Authorities of the University

Authorities of the University.

9. The following shall be the authorities of the University, namely:—

(1) the Board of Management,

(2) the Academic Council,

(3) the Board of Studies of each Faculty, and

(4) such other bodies as may be declared by the Statutes to be authorities of the University.

Constitution of the Board.

10. (1) The Chancellor shall, as soon as may be, after the first Vice-Chancellor is appointed under section 51, constitute a Board of Management.

(2) The Board shall consist of the following members, namely:—

(1) the Vice-Chancellor, *ex-officio;*

(2) Secretary, Finance Department, Government of West Bengal, *ex-officio;*

(3) Secretary, Agriculture and Community Development Department, Government of West Bengal, *ex-officio;*

(4) Secretary, Animal Husbandry and Veterinary Services Department, Government of West Bengal, *ex-officio;*

(5) Director of Agriculture, Government of West Bengal, *ex-officio;*

(6) one technical Director representing Animal Husbandry and Veterinary Services Department (to be nominated by the Government of West Bengal);

(7) Deans of Faculties, *ex-officio;*

(8) Director of Research of the University, *ex-officio;*

(9) Director of Extension of the University, *ex-officio;*

(10) two persons to be elected by the teachers from amongst themselves in accordance with the provisions made by the Statutes in this behalf subject to the condition that not more than one teacher shall be so elected from any single Faculty;

(11) one representative of the Indian Council of Agricultural Research;

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter III.—Authorities of the University.—Section 11.)

(*12*) four eminent scientists with a background of agricultural research or education to be nominated by the Chancellor;

(*13*) two progressive farmers to be nominated by the State Government;

(*14*) one person representing Agro-Industries to be nominated by the State Government.

(*3*) The Vice-Chancellor shall be the *ex-officio* Chairman and the Registrar non-member Secretary of the Board.

(*4*) The term of office of the members of the Board, other than the *ex-officio* members, shall be three years, and a member shall be eligible to serve more than one term.

Powers and functions of the Board.

11. (*1*) The Board shall exercise the following powers and perform the following functions, namely:—

(*a*) to review and consider the financial requirements and estimates for the University and approve its budget;

(*b*) to approve the recommendations for appointment of officers, teachers and other staff of the University in the manner prescribed;

(*c*) to provide for the administration of any funds placed at the disposal of the University for the purposes intended;

(*d*) to arrange for the investment and withdrawal of funds of the University;

(*e*) to borrow money for capital improvements and make suitable arrangements for its repayment;

(*f*) to provide for accepting, acquiring, holding and disposing of property on behalf of the University;

(*g*) to direct the form and use of the common seal of the University;

(*h*) to appoint such committees, either standing or temporary, as the Board may consider necessary, and determine the terms of reference thereof within the limitations of this Ordinance or the Statutes;

(*i*) to determine and regulate all policies relating to the University in accordance with this Ordinance or the Statutes;

(*j*) to make financial provision for instruction, teaching and training in such branches of learning and courses of study as may be determined by the Academic Council within the purposes of this Ordinance and for research and advancement or dissemination of knowledge in such branches of learning;

(*k*) to provide for the establishment and maintenance of colleges, hostels, laboratories, experimental farms and other facilities necessary for carrying out the purposes of this Ordinance;

(*l*) to make provision for instituting and conferring degrees, diplomas, and other academic distinctions;

(*m*) to provide for institution, maintenance, and award of scholarships, fellowships, studentships, medals, prizes, etc.;

(*n*) to accept on behalf of the University trusts, bequests and donations;

(*o*) to meet at such times and in such places as it considers necessary, provided that it shall hold meetings at least once in every two months;

(*p*) to exercise such other powers and perform such other duties as may be necessary for carrying out the purposes of this Ordinance.

(*2*) The Board or the Vice-Chancellor may invite any person having experience or special knowledge on any subject under consideration to attend its meeting. Such person may speak or otherwise take part in the proceedings of such

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter III.—Authorities of the University.—Sections 12, 13.)

meeting but shall not be entitled to vote. Any person so invited shall be entitled to such allowances as may be prescribed.

The Academic Council.

12. (*1*) The Academic Council shall be in-charge of the academic affairs of the University and shall, subject to the provisions of this Ordinance and the Statutes, superintend, direct and control, and be responsible for the maintenance of standards of instruction, education and examination and other matters connected with the conferment of degrees or award of diplomas and shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes.

(*2*) The Academic Council shall consist of the following members, namely:—

(*a*) the Vice-Chancellor, *ex-officio* Chairman,

(*b*) the Pro-Vice-Chancellor, if any,

(*c*) the Deans of the Faculties,

(*d*) the Associate Deans, if any,

(*e*) the Director of Research,

(*f*) the Director of Extension,

(*g*) the Chief Conservator of Forests, West Bengal,

(*h*) the Dean, Students' Welfare,

(*i*) the Librarian,

(*j*) the Director of Agriculture or a senior scientist dealing with agricultural education, nominated by the Director of Agriculture,

(*k*) the Director of Fisheries, West Bengal,

(*l*) the Registrar, Co-operative Societies, West Bengal,

(*m*) a senior scientist of the Department of Animal Husbandry and Veterinary Services, Government of West Bengal, dealing with veterinary and animal service education, nominated by that Department,

(*n*) six members from amongst the heads of departments of the various Faculties, nominated by the Vice-Chancellor on rotational basis,

(*o*) one lecturer from each Faculty, nominated by the Vice-Chancellor on rotational basis,

(*p*) two representatives of students elected by them in the manner prescribed, one of whom at least shall be a post-graduate student,

(*q*) the Registrar, *ex-officio* Sercetary, and

(*r*) such other members as may be prescribed.

(*3*) The Academic Council may co-opt as members not more than five persons for such periods and in such manner as may be prescribed so as to ensure adequate representation from different fields of agriculture.

Powers, functions and duties of Academic Council.

13. (*1*) The Academic Council shall, subject to the provisions of this Ordinance and the Statutes, have the power to provide by regulations and different courses of study and the curricula, shall have general control over the teaching and other educational programmes of the University, and shall be responsible for the maintenance of standards thereof.

(*2*) In particular, and without prejudice to the generality of the foregoing powers, the Academic Council shall have the powers—

(*a*) to advise the Board on all academic matters including the control and management of libraries;

(*b*) to make recommendations for the institution of professorships, associate professorships, readerships and other teaching posts including posts in connection with research and extension and lay down the duties attached to such posts;

(*c*) to formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching, research and extension education;

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter III.—Authorities of the University.—Sections 14—16.)

(*d*) to make regulations regarding the admission of students to the University and determine the number of students to be admitted;

(*e*) to make regulations relating to the courses of study leading to degrees, diplomas and certificates;

(*f*) to make regulations relating to the conduct of examinations and to maintain and promote standards;

(*g*) to make recommendations regarding post-graduate teaching, research and extension education;

(*h*) to make recommendations regarding the qualifications to be prescribed for teachers of the University; and

(*i*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions of this Ordinance or the Statutes made thereunder.

Faculties.

14. (*1*) The University shall have the faculties of Agriculture, Veterinary and Animal sciences, and such other faculties as may be prescribed.

(*2*) Each faculty shall comprise such departments and deal with such subjects of study as may be prescribed.

(*3*) There shall be a Board of studies of each faculty, the constitution and powers of which shall be such as may be prescribed.

(*4*) There shall be a Dean for each faculty who shall be chosen in such manner and for such term as may be prescribed.

(*5*) The Dean shall be the Chairman of the Faculty and be responsible for the faithful observance of the Statutes and regulations relating to the faculty and for the organisation and conduct of the teaching, research and extension work of the departments comprised therein. In carrying out the research and extension programmes he shall work in close co-operation with the Associate Deans, Directors of Research and Extension respectively.

(*6*) Each Department shall have a Head whose appointment, powers and duties shall be as prescribed and who shall be responsible to the Dean for the proper organisation and working of the department. He shall be responsible to the Directors of Research and Extension respectively, for the research and extension programmes entrusted to his department.

Committees.

15. Every authority shall have the power to appoint committees which may, unless otherwise provided in this Ordinance or Statutes, consist of some members of the authority and some other persons, if any, as it may think fit.

Supplementary provisions relating to membership.

16. (*1*) Save as otherwise provided in this Ordinance any casual vacancy among the members, other than *ex-officio* members, of any authority or other body of the University shall be filled as soon as possible by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the period for which the person whose place he fills would have been a member.

(*2*) The Board may remove any person from membership of any authority or body of the University on the ground that such person has been convicted of an offence involving moral turpitude provided that no order for removal shall be passed against any person without giving him an opportunity of being heard.

(*3*) A person who being a member of any authority of the University is appointed or elected to be a member of another body and who cannot retain his membership of the authority on that ground shall retain his membership of the authority until his successor is duly appointed or elected.

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter III.—Authorities of the University.— Section 17.— Chapter IV.—Officers.—Sections 18—20.)

(*4*) If any question arises whether any person has been duly appointed or elected or is entitled to be a member of any authority of the University subordinate to the Board, or whether any decision of the University is in accordance with this Ordinance or Statutes the question shall be referred to the Chancellor whose decision thereon shall be final.

Validation.

17. (*1*) No act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of any vacancy among its members or by reason of any person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

(*2*) Save as otherwise provided in this Ordinance all acts done and orders passed in good faith by the University or any of its authorities shall be final, and no suit shall be instituted against, or damage claimed from, the University or any of its authorities for anything done or purported to have been done in pursuance of this Ordinance, or the Statutes or the regulations made thereunder.

(*3*) No suit, prosecution or other proceeding shall lie against any officer or other employee of the University for any act done or purported to have been done under this Ordinance or the Statutes, without the previous sanction of the Board.

(*4*) No officer or other employee of the University shall be liable for any such act in any civil or criminal proceeding if the act was done in good faith in the discharge of his duties imposed by or under this Ordinance.

CHAPTER IV

Officers

Officers of the University.

18. The following shall be the officers of the University, namely :—

(*1*) the Chancellor,

(*2*) the Vice-Chancellor,

(*3*) the Pro-Vice-Chancellor,

(*4*) the Registrar,

(*5*) the Comptroller,

(*6*) the Librarian,

(*7*) the Dean, Students' Welfare,

(*8*) the Director of Research,

(9) the Director of Extension,

(*10*) the Deans of Faculties, and

(*11*) such other persons in the serviec of the University as may be declared by the Statutes to be officers of the University.

The Chancellor.

19. (*1*) The Governor of West Bengal shall be the Chancellor of the University.

(*2*) The Chancellor shall be the Head of the University and shall, when present, preside at any Convocation of the University.

(*3*) Every proposal to confer any honorary degree shall be subject to confirmation by the Chancellor.

(*4*) The Chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Ordinance.

The Vice-Chancellor.

20. (*1*) The Vice-Chancellor shall be a whole-time officer of the University and shall be appointed by the Chancellor in consultation with the Minister.

(*2*) The Vice-Chancellor shall hold office for a term of three years and shall be eligible for reappointment. The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not be varied to his disadvantage after his appointment.

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter IV.—Officers.—Sections 21—23.)

(*3*) The Vice-Chancellor may be writing under his hand addressed to the Chancellor resign his office. The resignation shall be delivered to the Chancellor ordinarily at least sixty days prior to the date on which the Vice-Chancellor wishes to be relieved of his office, but the Chancellor may relieve him earlier. The resignation shall take effect from the date of acceptance.

(*4*) During the temporary absence of the Vice-Chancellor on leave or due to any other reason the Chancellor may authorise any person to officiate as Vice-Chancellor and discharge all his duties.

Powers and duties of the Vice-Chancellor.

21. (*1*) The Vice-Chancellor shall be the principal executive officer of the University and shall be the *ex-officio* Chairman of the Board and the Academic Council. He shall, in the absence of the Chancellor, preside at the Convocation of the University and confer degrees on persons entitled to receive them.

(2) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of the discipline in the University.

(*3*) The Vice-Chancellor shall convene the meetings of the Board and the Academic Council.

(*4*) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Ordinance and the Statutes and the regulations made thereunder, and he shall possess all such powers as may be necessary for fulfilling his duties in this behaslf.

(*5*) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and annual accounts and balance sheet to the Board.

(*6*) The Vice-Chancellor may take any action in an emergency which in his opinion calls for immediate action. He shall in such cases and as soon as may be thereafter report his action to the authority which shall ordinarily have dealt with the matter.

(*7*) Subject to the provisions of the preceding sub-sections the Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, suspension and dismissal of officers, teachers and other employees of the University.

(*8*) Where any action taken by the Vice-Chancellor under sub-section (*6*) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Board within thirty days from the date on which such person has notice of the action taken.

(*9*) The Vice-Chancellor shall be responsible for the proper administration of the University and for a close co-ordination and integration of teaching, research and extension education.

Pro-Vice-Chancellor.

22. If in the opinion of the Board it is necessary to have one or more Pro-Vice-Chancellors as full-time officers of the University the Board may make recommendation in this behalf and the Chancellor may approve the proposal for creation of such posts. A Pro-Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister, for such period and on such terms and conditions as may be fixed by the Board. A Pro-Vice-Chancellor shall have such duties and shall perform such functions as may be prescribed.

The Registrar.

23. (*1*) The Registrar shall be a whole-time officer of the University and shall be appointed by the Vice-Chancellor subject to the approval of the Board and the Chancellor.

(*2*) The salary and allowances payable to the Registrar shall be such as may be prescribed.

(*3*) The Registrar shall be responsible for the due custody of the records and the common seal of the University. He

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter IV.—Officers.— Sections 24—27.)

shall be *ex-officio* Secretary to the Academic Council and shall be bound to place before it all such information as may be necessary for the transaction of business. He shall keep a permanent record of all courses, curricula and other information as may be deemed necessary.

(*4*) The Registrar shall be responsible for maintaining a permanent record of the academic performance of students including the courses taken, grades obtained, degrees awarded, prizes or other distinctions won, and any other items pertinent to their academic performance.

(*5*) The Registrar shall perform such other duties as may be prescribed or which may be assigned by the Board or the Vice-Chancellor

The Comptroller.

24. (*1*) The Comptroller shall be a whole-time officer of the University and shall be appointed by the Vice-Chancellor subject to the approval of the Board and the Chancellor.

(*2*) The salary, allowances and other conditions of service of the Comptroller shall be such as may be prescribed.

(*3*) The Comptroller shall manage the funds and investments of the University and shall advise in regard to its financial policy.

(*4*) The Comptroller shall be responsible to the Vice-Chancellor in the preparation of the budget and the statement of accounts of the University.

(*5*) The Comptroller shall be responsible to the Vice-Chancellor for ensuring that expenses are made in terms of authorisation in the budget. When any revision of the budget is needed in connection with any new programmes or changed requirements or for other reasons he shall prepare a revised or supplementary budget and cause it to be placed before the appropriate authority for approval He may disallow any expenditure which may contravene the terms of any Statute or for which provision is required to be made by a new Statute.

The Librarian.

25. (*1*) The Librarian shall be appointed by the Vice-Chancellor subject to the approval of the Board and shall be responsible for all matters concerning the library.

(*2*) The salary, allowances and other conditions of service of the Librarian shall be such as may be prescribed

The Deans of Faculties.

26. (*1*) There shall be a Dean for each faculty of the University who shall be chosen in such manner and for such period as may be prescribed.

(*2*) The Dean shall be the Chairman of the Board of studies of the faculty concerned and shall be responsible to the Vice-Chancellor for the faithful observance of the Statutes and regulations relating to the faculty. In carrying out his responsibilities the Deans shall work in close collaboration with other officers including the Associate Deans, Directors of Research and Extension and shall generally work through the Heads of the Departments of the Faculty.

(*3*) The Deans shall have such other duties and perform such other functions as may be assigned to them by the Statutes.

The Director of Research.

27. (*1*) There shall be a Director of Research who shall be a whole-time officer of the University. He shall be appointed by the Vice-Chancellor with the prior approval of the Board and the Chancellor in accordance with the Statutes made in this behalf. The Director of Research shall be responsible for carrying out the Research Programmes.

(*2*) The salary, allowances and other terms and conditions of service of the Director of Research shall be such as may be prescribed.

(*3*) The Director of Research shall exercise such other powers and perform such other duties as may be conferred or imposed on him by the Statutes.

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter IV.—Officers.—Section 28.—Chapter V.—Research and Extension.—Sections 29—31.—Chapter VI.—Appointment of Teachers, Officers and other Employees.—Section 32.)

The Director of Extension.

28. (*1*) There shall be a Director of Extension who shall be a whole-time salaried officer of the University responsible to the Vice-Chancellor. He shall be appointed by the Vice-Chancellor with the prior approval of the Board and the Chancellor in accordance with the Statutes made in this behalf.

(*2*) The pay, allowances and other terms and conditions of service of the Director of Extension shall be such as may be prescribed.

(*3*) The Director of Extension shall be responsible for the execution of agricultural extension programme drawn up under this Ordinance. He shall exercise such other powers and perform such other duties as may be conferred or imposed on him by the Statutes.

CHAPTER V

Research and Extension

Agricultural Development Programme.

29. Subject to the provisions of this Ordinance and the Statutes, the University shall undertake research programmes throughout the State of West Bengal with a view to aiding the Development of Agriculture.

Agricultural Extension Programme.

30. (*1*) An Agricultural Extension Programme shall be taken up in the University with a view to making available to farmers and others the findings of research and helping them to solve their problems. It shall conduct demonstration and training programmes for the benefit of students, extension workers, cultivators and rural people. Increased agricultural production shall be the principal objective of all extension activities and these activities shall be co-ordinated with the other functions of the University and other appropriate agencies of the State.

(*2*) The Agricultural Extension Programme shall be developed under the guidance of a Director of Extension responsible to the Vice-Chancellor.

Co-ordination of functions.

31. (*1*) In consultation with the appropriate officers of the University, the Vice-Chancellor shall take such steps as may be necessary for the full co-ordination of teaching, research, and extension activities of the University.

(*2*) The University shall carry out its programme of research and extension education keeping in view the needs of the State and shall provide the appropriate technical support and consultative advice to the State Government in its activities in agricultural development.

CHAPTER VI

Appointment of Teachers, Officers and other Employees

Appointment of teachers, officers and other employees.

32. (*1*) Subject to the provisions of this Ordinance the members of the teaching staff of the University shall be appointed by the Vice-Chancellor with the approval of the Board. All other officers and other employees shall be appointed by such authorities as may be prescribed.

(*2*) Subject to the provisions of the Statutes every officer and teacher of the University shall be appointed under a written contract. The contract shall be lodged with the Vice-Chancellor and a copy thereof shall be furnished to the officer or teacher concerned.

(*3*) The number of teachers, officers and other employees of the University and the method of their selection shall, unless otherwise provided in this Ordinance, be such as may be prescribed.

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter VII.—University Funds, Annual Report and Accounts.—Sections 33—36.—Chapter VIII.—Statutes and Regulations.—Section 37.)

CHAPTER VII

University Funds, Annual Report and Accounts

Fund of the University.

33. (*1*) The University shall have a fund to be called the Bidhan Chandra Krishi Viswa Vidyalaya Fund, hereinafter referred to as the Universtiy Fund.

(*2*) All monies received by the University by way of fees, fines, endowments, grants, donations, bequests or loans or on any other account whatsoever, shall be credited to, and all expenditure incurred by the University shall be paid out of, the University fund.

Government grants.

34. The State Government may in every year make such recurring and non-recurring grants to the University as the State Government may deem necessary for the proper functioning of the University and for carrying out its objectives as envisaged in this Ordinance.

Annual Report.

35. An annual report showing the various activities of the University shall be prepared under the direction of such subordinate authority or officer and shall be submitted to the University on or before such date as may be prescribed. The annual report shall be considered by the University at a meeting.

Annual Accounts and Budget.

36. (*1*) As soon as may be after the close of a year the accounts of the University for that year shall be audited by an auditor appointed by the State Government or in such other manner as the State Government may direct.

(*2*) The University shall consider the audited annual accounts at a meeting and may take such action thereon as it thinks fit.

(*3*) The budget for each year shall be presented to and considered by the University at a meeting convened for the purpose not less than one month before the end of the preceding year.

(*4*) Copies of the budget as passed by the University and the audited accounts together with copies of the audit report shall be submitted to the Chancellor and to the State Government.

(*5*) The State Government may require the University to supply to it any information in regard to the accounts and the budget of the University and the University shall comply with such requisition.

CHAPTER VIII

Statutes and Regulations

Statutes.

37. Subject to the provisions of this Ordinance the Statutes may provide for all or any of the following matters, namely:—

(*1*) the constitution, powers and duties of the authorities;

(*2*) the powers, functions, duties, manner of appointment and the terms and conditions of service of the officers other than the Chancellor;

(*3*) the designation, manner of appointment and the terms and conditions of service of the teachers and other non-teaching staff;

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter VIII.—Statutes and Regulations.—Sections 38, 39. —Chapter IX.—Transfer of Colleges and Employees Fund.—Sections 40—42.)

(*4*) the conferment and withdrawal of honorary degrees and academic distinctions;

(*5*) the establishment, amalgamation, subdivision and abolition of faculties;

(*6*) the establishment of departments of teaching in the faculties;

(*7*) the procedure of appointment, emoluments and the terms and conditions of service of the Vice-Chancellor;

(*8*) the establishment of a pension or provident fund or any other insurance scheme for the benefit of officers, teachers and other employees of the University; and

(*9*) all other matters which are required to be or may be prescribed.

Statutes how made.

38. (*1*) The first Statutes with regard to matters set out in clauses (*1*) to (*9*) of section 37 shall be made by the State Government.

(*2*) Additional Statutes may subsequently be made on all matters required to be prescribed.

(*3*) Every Statute to be made by the University shall be considered and approved by the Board.

Regulations.

39. The authorities of the University may make regulations not inconsistent with this Ordinance and the Statutes for the purpose of—

(*a*) laying down the procedure to be observed at their meetings and the number of members required to form the quorum; and

(*b*) providing for matters which by this Ordinance or the Statutes have to be regulated by regulations.

CHAPTER IX

Transfer of Colleges and Employees Fund

Transfer of Colleges to the University.

40. (*1*) Notwithstanding anything contained in any other law, on and from the appointed day the College of Agriculture, Kalyani, shall stand disaffiliated from the Kalyani University and the Bengal Veterinary College, Calcutta, stand disaffiliated from the University of Calcutta and transferred to the University as its constituent colleges.

(*2*) On and from the appointed day the control and management of the colleges specified in sub-section (*1*) and all properties, assets and liabilities in relation thereto shall stand transferred to and vest in the University.

Students to continue their studies.

41. Every student of any of the colleges specified in sub-section (*1*) of section 40 who immediately before the appointed day was studying in such college shall be permitted to complete his course of study in the University and the University shall make arrangements:—

(*a*) for instruction, teaching, training and holding of examination in such manner as may be determined by the University; and

(*b*) for the conferment of the degree, diploma, or other academic distinction of the University upon the qualified student on the result of such examination.

New college to be constituted as a constituent college.

42. On and from the appointed day, no new college imparting education in agriculture and allied sciences shall be established except as a constituent college of the University.

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter IX.—Transfer of Colleges and Employees Fund.—Sections 43, 44.—Chapter X.—Amendment.—Section 45.—Chapter XI.—Division of assets and transfer of employees of the Kalyani University.—Sections 46, 47.)

Transfer of service of certain employees.

43. (*1*) As soon as may be, after the appointed day, the State Government may, after consulting the Vice-Chancellor, direct, by general or special order, that such of the employees of the State Government as are specified in the order shall be transferred to the University with effect from such date as may be mentioned therein:

Provided that no such order shall be issued in respect of any employee without the consent of such employee.

(*2*) Persons referred to in sub-section (*1*) shall hold office under the University subject to such terms and conditions, not being less advantageous then what they were entitled to immediately before the appointed day, as may be determined by the University by Statutes.

Transfer of accumulations in provident fund.

44. The sums at the credit of the provident fund accounts of the employees referred to in sub-section (*1*) of section 43 shall be transferred to the University and the liability in respect of the said sums shall thereafter be the liability of the University.

CHAPTER X

Amendment

Amendment of the Kalyani University Act, 1960 (West Ben. Act XIII of 1960).

45. The Kalyani University Act, 1960, shall, with effect from the appointed day, stand amended to the extent and in the manner specified in the Schedule.

CHAPTER XI

Division of assets and transfer of employees of the Kalyani University

Division of assets.

46. (*1*) The State Government may, by notification in the *Official Gazette*, transfer such assets and liabilities including lands, buildings, books, equipments, laboratories, etc., belonging to the Kalyani University, as may be considered necessary, for the proper functioning of the Bidhan Chandra Krishi Viswa Vidyalaya keeping in view the overall interests of both the Universities.

(*2*) Pending the establishment of the principal seat of the University at Haringhata and the construction of administrative buildings, laboratories, students' hostels, staff quarters and other essential buildings, the Bidhan Chandra Krishi Viswa Vidyalaya shall function at Kalyani and the State Government shall make necessary interim arrangements by dividing the present campus of the Kalyani University and allocating the lands, buildings, libraries, farms, equipments, etc., to the Bidhan Chandra Krishi Viswa Vidyalaya.

(*3*) The Agricultural Faculty building at Kalyani and such of the hostels, research farms and lands belonging to the Kalyani University as may be decided by the State Government, shall be transferred permanently to the Bidhan Chandra Krishi Viswa Vidyalaya and shall be used by the University for its purposes.

(*4*) All buildings, lands, research farms and other properties belonging to the Kalyani University and located within the Haringhata police-station or within village Mohanpur or Gayeshpur, in the district of Nadia, shall, with effect from the appointed day, stand transferred to the Bidhan Chandra Krishi Viswa Vidyalaya.

Advisory Committee.

47. For aiding and advising the State Government for giving effect to the provisions of this Chapter, the State Government may constitute a Committee consisting of the following persons, namely:—

(*1*) Vice-Chancellor, Kalyani University,

(*2*) Vice-Chancellor, Bidhan Chandra Krishi Viswa Vidyalaya,

(*3*) Secretary, Department of Agriculture and Community Development,

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(Chapter XI.—Division of assets and transfer of employees of the Kalyani University.—Sections 48—50.—Chapter XII.—Transitory provisions and removal of difficulties. —Sections 51—54 and the Schedule.)

(*4*) Secretary, Department of Education,

(*5*) Secretary, Department of Animal Husbandry and Veterinary Services.

Transfer of staff.

48. (*1*) All the members of the teaching and non-teaching staff of the Faculty of Agriculture of the Kalyani University shall, with effect from the appointed day, be transferred to the Bidhan Chandra Krishi Viswa Vidyalaya.

(*2*) With regard to any employee of the Kalyani University other than those mentioned in sub-section (*1*) the State Government may, if considered necessary and subject to the agreement of the employee concerned, transfer him to the Bidhan Chandra Krishi Viswa Vidyalaya.

Interim orders of transfer of staff.

49. Pending finalisation of such transfer of employees to the Bidhan Chandra Krishi Viswa Vidyalaya, the State Government may pass interim orders of transfer allocating temporarily any of the employees of the Kalyani University to the Bidhan Chandra Krishi Viswa Vidyalaya.

Protection of terms of service.

50. Every person transferred to the Bidhan Chandra Krishi Viswa Vidyalaya shall hold office subject to such terms and conditions not being less advantageous than what they were entitled to immediately before their transfer.

CHAPTER XII

Transitory provisions and removal of difficulties

Appointment of the first Vice-cellor.

51. Notwithstanding anything contained in sub-section (*2*) of section 20 the first Vice-Chancellor of the University shall be appointed by the Chancellor in consultation with the Minister for a period not exceeding three years on such terms and conditions as may be decided by the State Government.

Appointment of the first Registrar and first Comptroller.

52. Notwithstanding anything contained in sections 23 and 24 the first Registrar and the first Comptroller of the University shall be appointed by the State Government for a period not exceeding three years on such terms and conditions as it thinks fit.

Removal of difficulty.

53. If any difficulty arises in giving effect to the provisions of this Ordinance the State Government may take such steps or issue such orders not inconsistent with this Ordinance as may be necessary for removal of the difficulty.

Delegation of powers.

54. The Board may, by order, delegate to any officer or authority of the University, any of its powers or functions under this Ordinance, to be exercised or performed by such officer or authority subject to such conditions or restrictions as may be specified in the order.

THE SCHEDULE

(*See* section 45.)

Amendments to the Kalyani University Act, 1960 (West Ben. Act XIII of 1960).

1. In the preamble, the words "generally, and agricultural, veterinary and the allied sciences in particular, and for conducting researches in those sciences for the benefit of the rural and other areas in the State of West Bengal" shall be omitted.

2. In section 2, clause (*a*) shall be omitted.

The Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974.

(The Schedule.)

3. In section 4,—

(*a*) in clause (*1*), the words "generally, and the agricultural, veterinary and allied sciences in particular" shall be omitted;

(*b*) clause (*2*) shall be omitted;

(*c*) in clause (*3*), the words "for the benefit of the rural and other areas in West Bengal" shall be omitted;

(*d*) clause (*5*) shall be omitted;

(*e*) in sub-clause (*a*) of clause (*7*), for the words ", a college or a recognized agricultural school", the words "or a college" shall be substituted;

(*f*) in clause (*14*), for the words ", colleges, recognized agricultural schools and other institutions", the words "and colleges" shall be substituted;

(*g*) in clause (*16*), for the words "or any agricultural school referred to in clauses (*4*) and (*5*)", the words "referred to in clause (*4*)" shall be substituted;

(*h*) in clause (*17*), the words ", including posts in connection with the execution of extension and other programmes, undertaken in furtherance of the purposes of this Act" shall be omitted.

4. In sub-section (*1*) of section 8,—

(*a*) clauses (*v*), (*vi*) and (*vii*) shall be omitted;

(*b*) for clause (*xi*), the following clause shall be substituted, namely —

"(*xi*) three persons to be nominated by the Chancellor.".

5. Sub-section (*2*) of section 11 shall be omitted.

6. In section 20—

(*a*) in sub-section (*5*),—

(*i*) in clause (*h*), the words ", experimental stations, demonstration farms" shall be omitted, and

(*ii*) in clause (*j*), the words ", agricultural schools" shall be omitted;

(*b*) in sub-section (*6*),—

(*i*) in clause (*d*), the words ", agricultural schools" shall be omitted,

(*ii*) in clause (*k*), the words ", agricultural schools" shall be omitted, and

(*iii*) in clause (*l*), the words "including recognized agricultural schools" shall be omitted.

7. In sub-section (*1*) of section 24, the words ", agricultural school, experimental station, demonstration farm" shall be omitted.

ANTHONY L. DIAS,
Governor of West Bengal.

The 12th August 1974.

K. K. MOITRA,
Secy to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

24-PARGANAS.—No. 16506-L.A.(P.W.)/3P-23/74. —14th August 1974.—The Governor is pleased to cancel so much of the notice No. 4261-L.A.(P.W.)/3B-4/66/CII, dated the 9th March 1966, under section 4(1a) of the West Bengal Act II of 1948, published at pages 1284 and 1285, Part I of the "Calcutta Gazette" of the 22nd April 1966, as relates to cadastral survey plots detailed below and altogether measuring, more or less, 0.4954 of an acre out of the total area of 1.50 acres of land notified for acquisition in the said notice for the purpose of providing facilities for irrigation and drainage, namely, for the construction of pump house and stacking yard in the village of Bansdroni, J.L. No. 45, P.S. Tollygunge, district 24-Parganas.

Mauza	Plot Nos	Entire or Part	Specific location	Area in acres
Bansdroni J. L. No 45, P.S. Tollygunge.	344	Entire		0 09
	345	Entire		0 09
	341	Part	North west and south west	0·1054
	346	Part	Southern	0 21

By order of the Governor,

S GHOSH,

Spl. Officer & Dy. Secy. (Ex-officio)
to the Govt. of West Bengal

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PART IC—Awards by Industrial Tribunal and Consumer Price Index

GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

ORDERS

No. 5300-I.R./IR/10L-75/72.—15th July 1974.—Whereas under the Government of West Bengal, Labour Department, order No. 4086-I.R., dated the 12th May 1970, the industrial dispute between Messrs. Garden Reach Workshops Ltd., 43/46 Garden Reach, Calcutta-24 and their workman Shri Pannalal Paul, P. O. and Vill. Sukhdebpur, 24 Parganas, regarding the issue mentioned in the said order being a matter specified in the Second Schedule to the Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the Fourth Industrial Tribunal.

And whereas the said Fourth Industrial Tribunal has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute between Messrs. Garden Reach Workshops Ltd., 43/46 Garden Reach, Calcutta-24, and their workman Shri Pannalal Paul, P. O. and Vill. Sukhdebpur, 24-Parganas. (Case No. 216/70.)

BEFORE THE FOURTH INDUSTRIAL TRIBUNAL, WEST BENGAL

Present:

Shri L. M. GHOSH, Judge,
Fourth Industrial Tribunal.

For the Workman: Shri P. P. Pathak.

For the Company: Shri B. S. Bagchi, Advocate.

The Government of West Bengal, in the Labour Department, order No. 4086-I.R./IR/10L 409/69, dated the 12th May, 1970, referred under section 10 read with section 2A of the Industrial Disputes Act, 1947, an industrial dispute between Messrs. Garden Reach Workshops Ltd., 43/46 Garden Reach, Calcutta-24 and their workman Shri Pannalal Paul, P. O. and Vill Sukdebpur, 24-Parganas, to this Tribunal, for adjudication in respect of the following issue:

Issue

Whether the dismissal of Shri Pannalal Paul is justified? What relief, if any, is he entitled to?

Usual notices were served upon the parties directing them to appear before this Tribunal and to file their respective written statements.

Admittedly, by a letter, dated 8th November 1967, the workman concerned was dismissed from service. He was served with a charge-sheet, dated

2nd September 1967, sent to him with a forwarding letter, dated 4th September 1967. Reply to that charge-sheet was submitted and an enquiry was held. The case of the workman in his written statement is that the enquiry was neither fair nor proper. Next the workman denies that he was guilty of any misconduct. He takes the plea of alibi and submits that on the date and time mentioned in the charge-sheet, he was away from the place of occurrence. The workman also mentions that after his dismissal, he made a representation to the management praying for reconsideration of the decision but that the same did not yield any result. Subsequently, the matter was referred to the Conciliation Officer and then came this reference. Stating the circumstances, the workman prays for reinstatement with full compensation for the period of unemployment.

In the written statement of the Company, the allegations of the workman are denied. Besides, some preliminary points are raised. It is submitted in the first instance that the said dispute is not an industrial dispute and that the workman never raised a valid dispute with the management. On the aforesaid ground, the Company describes the reference as incompetent. On merits, the Company states that on 28th August 1967, after 8 p.m. when the Charge-hand Fitter, Manmohan Chatterjee, was coming out of the gate of the workshop, Md. Abbas caught hold of his cycle and Pannalal Paul delivered a blow on Shri Chatterjee's face as a result of which his lip was cut and there was profuse bleeding and one of his teeth became loose. Shri Chatterjee returned back to the yard and was given first aid at the Yard Dispensary and then taken into the hospital. Pannalal was charge-sheeted for assaulting Manmohan Chatterjee and an enquiry was held by an enquiry committee consisting of three officers of the Company. Pannalal duly participated in the proceedings and was afforded full opportunity to produce his witness, to cross-examine the Company's witnesses, and to make statement before the Committee. The Committee found Pannalal guilty of assaulting Manmohan Chatterjee. On the basis of the said findings, the management dismissed Pannalal Paul. It is pointed out that as on the first date fixed Pannalal did not appear, he was given another chance. On the second date also Pannalal did not appear. But subsequently he wrote a letter, praying for fixation of another date of enquiry and that was granted. With regard to the allegations of the workman that he made representation to the management for reconsideration, the Company denies the same.

These are, in short, the respective cases of the parties.

As I have mentioned before, the Company raised certain preliminary points also. But the preliminary points were heard together along with the merits.

Although the preliminary points have been heard together along with the merits, the same must be disposed of first at this stage. The only point now pressed is that the workman did not raise any dispute with the management. As to that, Pannalal himself has asserted in his evidence that after the Company served the dismissal letter on him, he wrote to it requesting it to reconsider his case. A copy of the letter, said to have been served on the Company, is produced and marked Ext. 7. The workman, P. W. 1, states on oath that the original letter was exactly in terms of Ext. 7. Ext. 7 is an unsigned letter. According to the workman the original was sent by certificate of posting. That certificate of posting is not produced and the explanation of the workman is that the same is lost. Ordinarily, under the circumstances, the document, Ext. 7, might not have inspired the confidence of the Tribunal. But here, there is no denial on oath that such a letter was served on the Company. O. P. W. 1 is the Time-keeper of the Company and he was one of the Enquiry Officers. He proves the enquiry proceedings and the other matters related to the same. He does not repudiate that the workman made any demand. In view of this state of evidence, the statement of the workman on oath that he served a letter, of which Ext. 7 is the copy, cannot be thrown out. On the basis of Ext. 7 and the evidence of P. W. 1 I accept that the workman made a demand before the management. The preliminary point is thus disposed of.

Now I turn to the merits of the case. Evidently, it is a case of dismissal on the basis of enquiry proceedings. The law on the point is well settled that where a domestic enquiry has been validly held, the Tribunal cannot interfere except in certain cases. In case of dismissal for misconduct, the Tribunal does not act as a Court of Appeal and substitute its own judgement for that of the management. It will interfere only (i) when there is a want of good faith, (ii) when there is victimisation or unfair labour practice, (iii) when the management has been guilty of a basic error or violation of a principle of natural justice, and (iv) when on the materials the finding is completely baseless or perverse. The classic decision on the point is the one in the case of Indian Iron & Steel Co. Vs. their workmen reported in AIR 1958 SC 130-1958 I, LLJ 260. These principles are all, along since followed. Of the several tests laid down by the Hon'ble Supreme Court I would first consider the test of natural justice. As to that the workman in his written statement has only made a passing remark that the enquiry proceedings were neither fair nor proper. Paragraph 5 of the written statement of the workman may be adverted to in this connection. There is no elucidation in the written statement as to how the principles of natural justice were violated. In his deposition, however, the workman has alleged that during the proceedings he was not permitted to cross-examine the Company's witnesses. It is also his allegation in evidence that the proceedings were not explained to him. However, the witness has admitted in his evidence that he was present during the enquiry proceedings and has admitted his signatures, Exts. B and B/1. In the last sentence of his evidence, the witness states that he was present during the enquiry, but was not given any

chance to participate in it. On the other hand, the witness for the Company' Shri Roy, O.P.W. 1, affirmatively states on oath that Pannalal was present during the enquiry, that the proceedings of the enquiry were explained in vernacular to him, and that himself and the other members of the Board of Enquiry gave full opportunity to him to defend himself in the enquiry. At page 2 of his deposition, this O.P.W. 1 states that Pannalal made statements before the Board of Enquiry and placed a medical certificate, intended to show that he could not be physically present at the relevant time and place. The fact that Pannalal made a statement is borne out by the records of the enquiry proceeding. Pannalal gave explanation that he was elsewhere during that event. Exts. B and B/1 are the signatures of Pannalal on the statements. Thus, it appears that Pannalal got fair chance to defend himself. In the light of these features coming out from the record, it is not possible to accept the plea of the workman that he did not get fair chance to defend himself by cross-examining the Company's witnesses and by producing his own witnesses. It is noted that Pannalal declined to cross-examine the witnesses. There is also nothing on record to suggest that Pannalal wanted to examine his own witness and the same was refused. Considering the state of records and the evidence of O.P.W. 1 here, I find that the principles of natural justice were observed.

Now, I come to consider whether the findings in the enquiry proceedings can be termed as perverse. As observed in the case of the Central Bank of India Ltd. vs. Prokash Ch. Jain reported in FLR 1970 (20) SC 203, there are two cases where the findings of a domestic tribunal, like the Enquiry Officer dealing with the disciplinary proceedings against a workman, can be interfered with and these two cases are where the proceedings are not based on legal evidence or are such as no reasonable person could have arrived at on the basis of the materials before the Tribunal. In each of the two cases, the findings, according to the Hon'ble Supreme Court, are treated as perverse. Bearing this guide line in mind, I find that the findings here are based on sufficient legal evidence. The first witness for the Company was Shri Guha. His evidence cannot be treated as substantive evidence because he just heard about the incident from Shri Sen and received a written report from him and the Asstt. Security Officer. The next witness was K. K. Sen. He also just made a written report to Shri Guha. He does not speak about his personal knowledge relating to the incident. The third witness was Manmohan Chatterjee, the victim himself. He has narrated the whole story that when he was coming out from the factory gate, Md. Abbas caught hold of his cycle and Pannalal suddenly gave him a blow on his face. The witness was cross-examined by Abbas but Pannalal did not cross-examine him. This direct evidence of the person assaulted may alone be sufficient basis for the conviction of a person. The fourth witness of the Company was Ahmed, the Asstt. Security Officer. This witness states that Kalicharan, the Security Watcher, told him that there was a fight among Manmohan Chatterjee, Abbas and Pannalal outside the gate. But Kalicharan, witness No. 5, stated that he did not see who assaulted Manmohan. This, according to the representative for the workman, discloses a serious contradiction which should have prompted the domestic tribunal to discard the Company's case as a whole. In my opinion the statements referred to do not disclose any inherent contradiction. Ahmed no doubt quotes Kalicharan as saying that there was a fight. But even so Kalicharan might have spoken to about the fight on the basis of what he saw subsequently. Ameed never says that Kalicharan saw the actual assault. Then again, according to Manmohan, Kalicharan was near the gate. But the fact that Kalicharan did not still see the actual assault does not amount to any contradiction, for Manmohan never said that Kalicharan saw the assault himself. It cannot be contended that the evidence was such that no reasonable man could have come to the conclusion that Pannalal assaulted Manmohan. Even if it is possible to take a different view of the matter, it cannot be said that the view taken by the domestic tribunal is absolutely unreasonable or unwarranted by legal evidence. That being the position, the findings of the domestic tribunal can never be described as perverse. The fact that Abbas was also tried along with Pannalal does not make any difference. The fact that on the same charge, Abbas was found not guilty of the same offence also cannot make any difference for on the evidence placed, the authority concerned can well come to the conclusion that the guilt of one accused is established whereas the guilt of the other is not proved.

Having found that the principles of natural justice were observed, having found that the findings cannot be described as perverse, the Tribunal

cannot interfere in this case with the decision of the officers of the Enquiry Committee. For, there is no evidence or indication regarding want of good faith or victimisation or unfair labour practice on the part of the management. The offence alleged was serious and if the Company dismisses the workman on accepting the case that he assaulted Manmohan Chatterjee, it cannot be said that it betrays the motive of victimisation or discloses unfair labour practice. Want of good faith also does not come out. Therefore, the Tribunal cannot interfere with the judgment of the management.

Considering everything, I find that the dismissal of Pannalal Paul is justified. He is not entitled to any relief.

This is my award.

Dictated and corrected by me.

L. M. GHOSH,
Judge.

L. M. GHOSH, Judge,
Fourth Industrial Tribunal.
29-6-1974.

By order of the Governor,

S. N. ROY, Dy. Secy.

No. 5391-I.R./IR/11L-790/71.—18th July 1974.—Whereas under the Government of West Bengal, Labour Department, order No. 8262-I.R./IR/11L-52(A)/69. dated the 19th December 1970, the industrial dispute between Messrs. Balmer Lawrie & Co. Ltd., 21 Netaji Subhas Road, Calcutta-1, and their workmen represented by Balmer Lawrie Employees' Association, Commercial Buildings, Block No. 3, 23 Netaji Subhas Road, Calcutta-1. regarding the issue mentioned in the said order being a matter specified in the Third Schedule to the Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the Seventh Industrial Tribunal;

And whereas the said Seventh Industrial Tribunal has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute between Messrs. Balmar Lawrie & Co. Ltd., 21 Netaji Subhas Road, Calcutta-1 and their workmen represented by Balmar Lawrie Employees' Association, Commercial Buildings, Block No. 3, 23 Netaji Subhas Road, Calcutta-1. (Case No. VIII-479/70.)

BEFORE THE SEVENTH INDUSTRIAL TRIBUNAL, WEST BENGAL

Present:

Shri P. K. ROY. Judge,
Seventh Industrial Tribunal.

Appearances:

For the Company: Shri J. K. Ghosh. Advocate of Messrs. Orr Dignam & Co., Solicitors, with Shri A. K. Bhowmick, Advocate.

For the Association: Shri T. P. Chatterjee, Advocate.

AWARD

1. On 31st December 1970, this Tribunal received the present reference under the Labour Department G.O. No. 8262-I.R./IR/11L-52(A)/69, dated the 19th December 1970, referring an industrial dispute between the parties, namely, Messrs. Balmer Lawrie & Co. Ltd. (hereinafter referred to as the Management), and their workmen represented by Balmer Lawrie Employees' Association (hereinafter referred to as the Association) with the following issue for adjudication:

Issue

What should be the quantum of bonus to which the workmen are entitled under the Payment of Bonus Act, 1965, in respect of the Compasy's accounting year 1968?

2. Briefly stated, the financial year of the Management involving in the present adjudication ended on 31st December 1968. In respect of the said financial year, the Association on behalf of the workmen, claimed bonus equivalent to 20 per cent. of the employees' gross salary for the said accounting year. According to the management, there was no Allocable Surplus warranting payment of more than the statutory minimum bonus under section 10 of the Payment of Bonus Act. 1965. Hence, there arose a dispute regarding the quantum of bonus payable for the said financial year. Negotiations started between the parties through their representatives and a settlement was arrived at. It was agreed, inter alia, that subject to the final adjudication, the management would pay 10.7 per cent. to the concerned workmen and parties would refer the matter for adjudication. Accordingly, the parties themselves framed the aforesaid issue and sent the same to the Government for referring the same to an Industrial Tribunal for adjudication. Hence the present reference.

3. After the issue of notices, requiring the parties herein to appear before this Tribunal, they entered appearance. filed their written statements and their respective computations on the basis of the audited Balance Sheet of the management for the year 1968.

4. The only point for consideration is what should be the quantum of bonus to which the workmen are entitled under the Payment of Bonus Act, 1965, in respect of the Company's accounting year 1968.

5. At the outset, by consent of parties, a number of document were marked as exhibits from either side formal proof being dispensed with.

6. I called the management to adduce evidence first in support of their contention. Mr. J. K. Ghose, learned Advocate appearing for the management, examined only one witness, namely, Shri Madan Mohan Lal, P.W. 1, who was the erstwhile Accountant of the management. According to him, he prepared the draft account of the Company for the year 1968 which was subsequently audited by Messrs. Price Waterhouse Peat & Co., the Auditors of the management. The said audited accounts has been marked as Ext. 5. According to him, the audited accounts reveal the true position of the Company's accounts and have been so certified by the said Auditors. He also identifies the computation duly certified by the said Auditors (Ext. 1). I propose to refer to his evidence hereafter at the appropriate place.

7. Mr. T. P. Chatterjee, learned Advocate appearing on behalf of the Association, examined two witnesses. O.P.W. 1 Shri Kali Das Chakraborty is a personal clerk of the Income Tax Office, Central Circle at 18 Rabindra Sarani. He produced the assessment order for the year 1968 and identifies the same. Neither party referred to his evidence at the time of hearing. Mano Mohon Banerjee, O.P.W. 2, is the Secretary of the Association. He is attached to the Accounts Department of the management. He gives evidence in support of the case of the Association. I also propose to refer to his evidence hereafter.

8. Considering the evidence before me and in particular the two computations (Ext. 1 and Ext. A) of the parties, the scope of the present adjudication has been narrowed down considerably. Four items, namely, (a) Capital, (b) Miscellaneous Expenses, (c) Bad Debts and (d) Reserves are in dispute.

9. Before I deal with the items in dispute, it is desirable that I should record an important admitted fact Exhibit 5 is the audited accounts of the management for the year 1968. The Profit and Loss Account for the said year has been given at page 8 of Ext. 5, while the Balance Sheet appears at page 9 thereof. From the two computations (Exts. 1 and A), I find that both the parties accepted the correctness of the net profit as per the Profit and Loss Account. So far the Balance Sheet is concerned there is also no dispute. In fact, from the evidence of O.P.W. 2 Shri Mani Mohon Banerjee, I find that at no point of time, his Association raised any dispute regarding the correctness of the Balance Sheet, nor any dispute was raised before me. Therefore, neither the Profit and Loss Account, nor the Balance Sheet is on trial before me. No inaccuracy has been shown nor their accuracy has been challenged. So I take it that the Profit and Loss Accounts and the Balance Sheet as embodied and appearing in Ext. 5 are correct. With this background, let me now proceed to examine the items as indicated above one by one.

10. From Ext. 1. computation of the management, I find from item 5, clause (d) that the management deducted a sum of Rs. 12,24,255 at the rate of 8.5 per cent. of the paid-up Share Capital as at the commencement of the accounting year. Mr. Chatterjee disputes this figure and claims that the management was at best entitled to deduct a sum of Rs. 1,36,110 on that account. Let me examine the contention of Mr. Chatterjee. The Share Capital of the Company has been shown at page 12 of Ext. 5 which is set hereunder as follows:—

"Share Capital

Authorised	1968 Rs.
3,00,000 Ordinary Share of Rs. 100 each	3,00,00,000
issued and Subscribed	
16,013 Ordinary Shares of Rs. 100 each fully paid up in Cash	16,01,300
40,000 Ordinary Shares of Rs. 100 each issued as fully paid up pursuant to a contract without payment being received in Cash	40,00,000
88,017 Ordinary Shares of Rs. 100 each allotted as fully paid Bonus Shares by way of capitalization of revenue reserves	88,01,700
	1,44,03,000"

11. Under the Payment of Bonus Act, 1965, Schedule III, a Company other than a Banking Company is entitled to deduct 8.5 per cent. of its paid-up Equity Share Capital as at the commencement of the accounting year in arriving at the Allocable Surplus for the purpose of bonus. According to Mr. Chatterjee, the management is entitled to deduct 8.5 per cent. only in respect of the first item, namley, 16,013 Ordinary Shares of Rs. 100 each fully paid-up in cash=Rs. 16,01,300. His contention is that the other two items are not paid-up in cash. According to Mr. Chatterjee "paid-up" as embodied and appearing in the Third Schedule (ii) stands for paid-up in cash, but the remaining two items of Share Capital are admittedly not paid-up in cash. One has been shown as fully paid up pursuant to a contract without payment being received in cash and the other has been shown as fully paid-up bonus share by way of capitalization of revenue reserve.

12. Companies Act, 1956, provides the form of Balance Sheet under the Schedule VI thereof. There under the heading "share capital", provision has been made for showing shares which are allotted as fully paid up pursuant to a contract without payment being received in cash. There is also provision for showing shares as fully paid up by way of bonus shares. Therefore, the Share Capital as shown at page 12 of Ext. 5 is neither inconsistent and/or contrary to the form as given in the Companies Act, 1956. Therefore, so far as the Share Capital is

concerned, hardly a dispute can be raised on that account, but I am to consider whether the last two items of the Share Capital can be taken into consideration while computing in terms of clause (ii) of the Third Schedule to the Bonus Act. It is needless to point out that a statute has to be read as it is and only in case of ambiguity, one has to examine various other aspects of the Act including its preamble, title, etc., to give a proper meaning and/or remove the ambiguity. In the instant case, there is no mention in clause (ii) of the Third Schedule that the words "paid-up" stand for paid up in cash. Therefore, I cannot accept the contention of Mr. Chatterjee. I go by the statute itself and hold that the figure arrived at by the management in their computation, Ext. 1. in this behalf is acceptable and I hold that they are entitled to a return on the entire Share Capital at the rate of 8.5 per cent. and as such, they are entitled to deduct a sum of Rs. 12,24,255 in arriving at the Allocable Surplus.

13. The next item for consideration is Miscellaneous Expenses. At page 11 of Ext. 1 under the heading "General Expenditure", the last item has been stated as Miscellaneous Expenses to the tune of Rs. 31,58.128. According to Mr. Chatterjee Miscellaneous Expenses should not be added back in computing the Gross Profits inasmuch as the same was not allowed by the Income Tax Act. Mr. Ghosh, on the contrary, submits that Income Tax Act has no overriding power so far Bonus Act is concerned. Under the Bonus Act, in computing the Gross Profit under Second Schedule, Clause III(b), donations in excess of the amount admissible for income tax. should be added back. These expenses, according to P.W. 1, are all Revenue Expenses and they have been so certified by the Auditors. From the evidence, I find that at no point of time, the Association questioned the correctness of the Miscellaneous Expenses, nor did they called upon the management to give details of the Miscellaneous Expenses as indicated in the Balance Sheet. There is no allegation nor there is any material to hold that these Miscellaneous Expenses were not incurred by the management. That being the position, I reject the contention of Mr. Chatterjee that the said expenses should not be added back.

14. The next item for consideration is Bad Debts. At page 11 of Ext. 5 under the heading "General Expenditure" there is another item described as "Bad Debts amounting to Rs. 7,24,973. In the computation of the Association, Ext. A, I find that the Association wants that the said sum of Rs. 7,24,973 should be added back in arriving at the Allocable Surplus. Mr. Chatterjee submits that these debts were subsequently recovered by the management from time to time, and as such they should be added back. Mr. Mano Mohon Banerjee, O.P.W. 2. states that he collected the item 3(c) of Ext. A from page 11 of Ext. 5. He states that the figure should be added back as the same does not amount to Bad Debts. I have already pointed out that the accounts of the management have not been disputed. So, I take it that there are Bad Debts. The same has also been admitted by Mr. M. M. Lal, P.W. 1. He also states that the Company have had certain Bad Debts. According to him, as the debts and/or any portion thereof were not recovered in the year 1968, the same was not shown in the accounts. According to him, about Rs. 93,000 were recovered out of Bad Debts in subsequent years and they were credited to the accounts of those years. Up to 1968. no portion of the Bad Debts as appearing in item 3(c) of Ext. A was recovered. From the evidence I further find that in subsequent years, the amounts so recovered were added back. There is no provision for Bad Debts in computing the Allocable Surplus either in the Second Schedule or in the Third Schedule of the Bonus Act. Be that as it may the fact remains that the Company had some Bad Debts in the year 1968 and the same has not been disputed. The evidence of M. M. Banerjee is of little assistance to the Association in this behalf. His evidence is as criptic as anything. He says that as he found Bad Debts at page 11, he wanted to add back the same in the computation marked Ext. A. I could have understood if he had disputed the accounts of the Company as embodied and appearing in Ext. 5 and having not disputed the genuineness of the Balance Sheet, it is now a far cry for him to claim that the said sum should be added back. I reject the contention of the Association in this behalf.

15. Now I propose to consider the last item, namely, the Reserves. At page 9 of Ext. 5 shows Reserves to the tune of Rs. 1,17,72,678. Schedule VI of the said account, at page 12 gives a detailed account of the said Reserves. The management in their computation marked Ext. 1, in item 5(ii) claims deduction of 6 per cent. of the Reserve shown in the Balance Sheet. According to Mr. Chatterjee, the management is not entitled to have the said deduction. Under Third Schedule of the Bonus Act, a Company is entitled to 6 per cent. of its Reserve shown in the Balance Sheet and as at the commencement of the accounting year including profits carried forward from the accounts of the previous year, etc. In Ext. 5, Reserve has been shown to the tune of Rs. 1,15,98,857 as on 1st January 1968. So, prima facie, under the provisions of law, the management is entitled to have the said deduction. As against the same, Mr. Chatterjee submits that the Reserve as shown in the said Schedule must be Reserves, pure and simple, and must remain untied to any commitment. From the evidence of P.W. 1, I find that the management paid dividends to their shareholders out of the said Reserves. According to Mr. Chatterjee, the moment the management paid the dividends out of the said Reserves, the said fund loses its character, of Reserves and the entire amount should be added back. I cannot agree with the contention of Mr. Chatterjee in this regard. Under the Bonus Act, a Company is entitled to give dividends to their shareholders out of the Reserves. There is no provision that if any payment is made out of the Reserves, the fund so shown loses its character as Reserves. Then again, under the law, the management is entitled to have 6 per cent. of its Reserve as shown in its Balance Sheet at the commencement of the accounting year. In the instant case, a total sum of Rs. 1,15,98,857 was shown in the Balance Sheet as at the commencement of the accounting year. Therefore, under the statute and in particular Schedule III, clause (111) of the Payment of Bonus Act, 1965, the management is entitled to deduct 6 per cent. of its Reserve in computing the Allocable Surplus and as such the contention of Mr. Chatterjee

is hardly tenable. In the premises, the contention of Mr. Chatterjee must fail.

16. In fine, I hold that all the points raised before me are against the Association. I accept the computation as submitted by the management and hold that the quantum of bonus should be a total sum of Rs. 3,77,717.

17. This is my award.

Dictated and corrected by me.

P. K. ROY,
Judge.

P. K. ROY, Judge,
Seventh Industrial Tribunal.
29-6-1974.

By order of the Governor.

S. N. ROY, Dy. Secy.

No. 5406-I.R./IR/4L-30/71.—19th July 1974.—Whereas under the Government of West Bengal, Labour Department, order No. 3017-I.R./IR/4L-30/71 dated the 17th July 1971, the industrial dispute between Messrs. Mrityunjoy Singha & Sons, owners of Lorry No. WGE 2117, Lalpur, P.O. Chakdaha, district Nandia, and their workmen represented by Chakdaha Automobile Employees' Union, P.O. Chakdaha, district Nadia, regarding the issue mentioned in the said order being a matter specified in the Second Schedule to the Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the First Industrial Tribunal;

And whereas the said First Industrial Tribunal has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute between Messrs. Mrityunjoy Singha & Sons, owners of Lorry No. WGE 2117, Lalpur, P. O. Chadaha, district Nadia, and their workmen represented by Chakdaha Automobile Employees' Union, P. O. Chakdaha, district Nadia. (Case No. VIII-235/71.)

BEFORE THE FIRST INDUSTRIAL TRIBUNAL, WEST BENGAL

Present :

Shri A. K. NAYAK, Judge,
First Industrial Tribunal.

AWARD

By Labour Department, order No. 3017-I.R./IR/4L-30/71, dated 17th July 1971, the Governor was pleased to refer the instant dispute between Messrs. Mrityunjoy Singha & Sons, owners of Lorry No. WGE 2117, Lalpur, P.O. Chakdaha, district Nandia, and their workmen represented by Chakdaha Automobile Employees' Union, P.O. Chakdaha, district Nadia, under section 10 of the Industrial Disputes Act, 1947, to the First Industrial Tribunal constituted under notification No. 808-I.R./IR/3A-2/57, dated the 11th March 1957, for adjudication, on the following issue :

Issue

Whether termination of service of Shri Alok Kr. Kar is justified? To what relief, if any, is he entitled?

On receipt of the above reference, notices were issued on the parties directing them to appear on 16th August 1971. Both parties appeared on that date and filed written statement on 7th September 1971 and 11th November 1971 respectively. Parties filed documents and several preliminary objections were heard. According to the workman Alok Kr. Kar, a driver of Lorries owned by the Opposite Party-Company, the licence of the lorry in question was surrendered intentionally with a view to deprive the petitioner of his service and his service was terminated purposely with an ulterior end in view. So giving rise to an industrial dispute which has been referred to this Tribunal. This has been denied by the Opposite Party-Company in the written statement filed by them. After series of adjournments the parties came to terms and filed a joint petition of compromise to dispose of the matter. The terms of settlement show that the workman would be paid Rs. 1,500 in full and final satisfaction of all his claims including his prayer for reinstatement. The terms appeared to be fair and reasonable and there is no reason why they should not be accepted as such. So it is a fit case which should be disposed of in terms of joint petition of compromise which do form part of the award.

Dictated and corrected by me.

A. K. NAYAK,
Judge.

A. K. NAYAK, Judge,
First Industrial Tribunal.
28-6-1974.

BEFORE THE FIRST INDUSTRIAL TRIBUNAL, WEST BENGAL

In the matter of Government of West Bengal, Labour Department, order No. 3017-I.R./IR/4L-30/71, dated the 17th July 1971

And

In the matter of an industrial dispute

Between

Messrs. Mrityunjoy Singha & Sons, owner of Lorry No. WGE 2117, Lalpur, P.O. Chakdaha, district Nadia

And

Their workmen represented by Chakdaha Automobile Employees' Union, P.O Chakdaha, district Nadia.

The humble joint petition of both the parties abovenamed—

Most Respectfully Sheweth :

That the above matter pending adjudication before the Tribunal has been amicably settled between the parties on following terms :—

(a) It has been agreed between the parties that the Employer-Firm shall pay an amount of Rs. 1,500 (Rupees one thousand and five hundred) only to the workman Shri Aloke Kumar Kar in full and final settlement of of claims including the claim of the reinstatement against the firm, namely, M/s. Mrityunjoy Singha & Sons.

(b) The said amount of Rupees one thousand and five hundred shall be paid in two equal instalments. The first instalment shall be paid on the 28th June 1974 and the second and last instalment shall be paid within forty-five days of the payments of the first instalment.

(c) The workman Aloke Kumar Kar shall have no further claim against the employer-firm in any shape or form.

(d) The dispute is thus settled between the parties once for all.

Your petitioner pray that Your Honour would be pleased to accept the compromise as just and fair and to make an award in terms of the settlement as mentioned herein above.

And your petitioners as in duty bound shall ever pray.
Date : 26-6-74.

Aditi Nath Nandi,
President,
Chakdaha Automobile Employees'
Union, representing the workman.

Illegible,
Proprietor,
Messrs. Mrityunjoy Singha & Sons.
26-6-74.

By order of the Governor,
S. N. ROY, Dy. Secy.

Printed and published by the Superintendent, Government Printing, at the West Bengal Government Press, Kadapara, Calcutta-54.

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The

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SRAVANA 23] WEDNESDAY, AUG. 14, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

OFFICE OF THE COMMISSONER OF POLICE, CALCUTTA

ORDERS

I, S. C. Chaudhuri, Commissioner of Police, Calcutta, being an Executive Magistrate in the district of 24-Parganas specially empowered by the State Government under Notification No. 2505-GA., dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), hereby relax, as a special case, in exercise of the power conferred by sub-section (4) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), my prohibitory orders passed on the 26th July 1974, now in force in respect of certain areas within the jurisdiction of Garden Reach Police-Station in the Suburbs of the town of Calcutta in order to permit the local people to celebrate the Independance Day only between 06.00 hours on the 15th August 1974, and 06.00 hours on the 16th August 1974.

Given under my hand and seal this the 14th day of August, 1974.

S. C. CHAUDHURI,
Commissioner of Police, Calcutta,
and
Executive Magistrate in the district of 24-Parganas.

I, S. C. Chaudhuri, Commissioner of Police, Calcutta, being an Executive Magistrate in the district of 24-Parganas specially empowered by the State Government under Notification No. 2505-GA., dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), **hereby relax**, as a special case, in exercise of the power conferred by sub-section (4) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), my prohibitory orders passed on the 15th day of July, 1974, now in force in respect of certain area around the South-eastern Railway Headquarters and staff Colonies within the jurisdiction of South Port Police-Station in the suburbs of the town of Calcutta in order to permit the local people to celebrate the Independance Day only between 06.00 hours on the 15th August 1974, and 06.00 hours on the 16th August 1974.

Given under my hand and seal this the 14th day of August, 1974.

S. C. CHAUDHURI,
Commissioner of Police, Calcutta,
and
Executive Magistrate in the district of
24-Parganas.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

ERRATUM

MURSHIDABAD.—No. 16348-LA(II)/4I-19/66-Pt. —13th August 1974.—In notification No. 17916-LA(II) /4I-19/66-Pt., dated 19th September 1973, under section 4 of the Land Acquisition Act of 1894 (Act I of 1894), published at page 2877, Part I, of the "Calcutta Gazette, Extraordinary", dated 22nd September 1973, in respect of acquisition of land for rehabilitation of persons to be evicted by acquisition of land for Farakka Barrage Project in the village of Ghorsala, jurisdiction list No. 98, police-station Raghunathganj, district Murshidabad—

Read the figure "1340/1689" for the figure "1340/1686" in line 48.

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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The Calcutta Gazette

सत्यमेव जयते

Extraordinary

Published by Authority

SRAVANA 23] WEDNESDAY, AUGUST 14, 1974 [SAKA 1896

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Reforms

NOTIFICATION

No. 16292-L.Ref.—13th August 1974.—In exercise of the power conferred by section 60 of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the West Bengal Land Reforms Rules, 1965, as subsequently amended (hereinafter referred to as the said rules), namely :

Amendments

In the said rules,—

(i) after rule 14D, insert the following rules, namely :—

"14E. **Manner in which compensation for the vesting of any land is to be determined and given.**—(1) Applications for payment of compensation for vesting of any land in the State under the provisions of chapter II-B of the Act shall be presented to the Revenue Officer having jurisdiction in the area in which the land or major portion thereof are situated and shall be in Form No. 7B or in a form substantially similar thereto.

(2) The amount of compensation payable to a *raiyat* for the land vested in the State under section 14S and taken possession of under sub-section (3) of section 14T, shall be determined in the following manner, namely :—

(a) Where the land belongs to a class which ordinarily yields any agricultural produce, the Revenue Officer shall, after making such enquiry as he may think fit and having taken into account the general productivity of such class of land, determine the

annual produce of the land on the assumption that it yields only one normal crop of paddy. He shall then determine the average rate of price of paddy during a period of seven years immediately preceding the date of vesting or any shorter period for which evidence is available, after taking into consideration the publications of the rates of prices authorised by the Government and shall calculate the value of the annual produce of the land by multiplying together the annual produce and the average rate of price so determined. In cases where the land is cultivated by a *bargadar* one-fourth and in other cases one-third of the value of the annual produce so calculated shall be the annual income of the land which shall be taken to be the gross income.

(b) Where the land belongs to a class which does not ordinarily yield any agricultural produce, the Revenue Officer shall determine the annual income of the land to the best of his judgment having regard to the nature of the land and its utility to the owner thereof and the annual income so determined shall be taken to be gross income.

(c) After the gross income has been determined under clause (a) or clause (b), the net income shall be computed by deducting from the gross income the following, namely :—

(i) any sum payable as land revenue, cesses, rates or taxes during the previous agricultural year in respect of the land to which the gross income relates; and

(ii) charges on account of management and collection at the rates given in sub-clause (iv) of clause (b) of sub-section (1) of section 16 of the West Bengal Estates Acquisition Act, 1953 (West Ben. Act I of 1954).

(d) After the net income has been computed under clause (c) the Revenue Officer shall then proceed to determine the amount of compensation payable to the *raiyat* in accordance with the table given in sub-section (1) of section 17 of the West Bengal Estates Acquisition Act, 1953 and shall also prepare and publish a Compensation Assessment Roll containing particulars about the gross income, the net income and the amount of compensation payable to a *raiyat*.

(e) Within one month from the date of publication of the Compensation Assessment Roll under clause (d) a raiyat may file before the Revenue Officer an objection in writing in respect of any entry therein or any omission therefrom relating to his lands or income.

(f) The order of the Revenue Officer in deciding an objection filed under clause (e) shall contain a concise statement of the fact of the case, the points for determination, the decision thereon and the reasons for such decision.

(g) The provision for appeal contained in section 20 of the West Bengal Estates Acquisition Act, 1953, shall *mutatis mutandis*, apply to appeals against the order of the Revenue Officer.

(h) Where no objection has been filed or where all such objections have been disposed of, the Revenue Officer shall make such alterations, if any, in the Compensation Assessment Roll as may be necessary to give effect to any order passed on objections filed and shall cause the roll or the roll as so altered to be finally published by placing it for public inspection free of charge during a period of not less than one month at such convenient place as he may determine, and cause a public notice to be given to that effect stating the place where it shall be open to public inspection and the period during which it shall be open to such inspection. The Revenue Officer shall make a certificate stating the fact of such final publication and the date thereof and shall date and subscribe the same with his name and official designation.

14F. **Manner of payment of compensation.**—(1) Payment of compensation together with interest at the rate of three *per centum per annum* shall be made in cash and in bond in accordance with the principles laid down in sections 23, 24 and 25 of the West Bengal Estates Acquisition Act, 1953 :

Provided that in the case of a *raiyat* referred to in sub-section (3) of section 14Q the compensation payable shall be a perpetual annuity equal to the net annual income from the land which has vested in the State.

(2) The procedure laid down in chapters VII and VIII and in schedules A and D to the West Bengal Estates Acquisition Rules, 1954, in so far as they are not inconsistent with the provisions of the West Bengal Land Reforms Act, 1955 and the rules made thereunder, shall be followed in making payment of compensation.", and

(ii) *after* Form No. 7A, *insert* the following Form, namely :—

"FORM NO. 7B

[See sub-rule (1) of rule 14E]

Application for payment of compensation under section 14V.

1. Name and address of the raiyat .....

.....

2. Father's|Husband's name .....

.....

3. Particulars of lands vested in the State—

(i) District, police-station .....

(ii) Names of mauzas with J.L. Nos., Khatian Nos., Plot Nos. and area .

.....

.....

4. Total area of vested lands in the State .....

5. Whether possession of the vested land has already been taken over .....

.....

6. Names of co-sharers, if any, with their respective shares including that of the applicant .....

.....

I declare that to the best of my knowledge and belief the information given by me in the above statement is correct and complete.

Signature .....

Date ....."

By order of the Governor,

S. MULLICK,

Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

DARJEELING.—No. 16480-L.A.—14th August 1974.—Whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for residential accommodation of Additional Deputy Commissioner, Darjeeling, in the village of Darjeeling, jurisdiction list No. 19, police-station Darjeeling, district Darjeeling, it is hereby notified that a piece of land as described below and measuring, more or less, 0.00485 of hectare (0.0120 of an acre), is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Darjeeling.

This Notification is made, under the provisions of section 4, of Act I of 1894 to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Darjeeling.

In exercise of the powers conferred by the aforesaid section the Governor is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by the section.

Any person interested in the above land, who has any objection to the acquisition thereof, may within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector.

Description of the land

Mauza Darjeeling, jurisdiction list No. 19, police-station Darjeeling, district Darjeeling.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
117	Western	..	·0083	·00335
118	Middle	..	·0037	·00150

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (Ex-officio),
to the Govt. of West Bengal.

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LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

DECLARATION

MURSHIDABAD. — No. 16352-L.A.(II)/4I-19/66 Pt.—13th August 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (I of 1894), in relation to the acquisition of land for the purposes of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of the Constitution of India as S.R.O. 1074 and published at page 868, Part II, section 3, of the "Gazette of India", dated 21st May 1955;

And whereas the Governor is satisfied that land is needed for a public purpose, namely, for rehabilitation of persons evicted by acquisition of land for the Farakka Barrage Project in the village of Ghorsala, jurisdiction list No. 98, police-station Raghunathganj, district Murshidabad, it is hereby declared that a piece of land as described below and measuring, more or less, 4.0064 hectares (9.90 acres) is needed for the aforesaid public purpose at the public expense within the aforesaid village of Ghorsala.

This declaration is made, under provisions of section 6 of Act I of 1894, read with the aforesaid notification, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, F. B., Project, Berhampur Babupara Main Road, post office Berhampur, district Murshidabad,

Description of the land

Mouza Ghorsala, jurisdiction list No. 98 police-station Raghunathganj, district Murshidabad.

Cadastral Survey plots in full—1323-1329, 1332, 1334, 1335, 1337, 1339, 1340, 1343, 1346, 1347, 1348, 1349, 1356, 1321/1714 and 1340/1689.

Cadastral Survey plots in part—1344 (entire area excluding southern portion), area—0.93 acre (0.3763 hectare); 1345 (northern portion), area—0.20 acre (0.0809 hectare); and 1350 (entire area excluding eastern portion), area—0.17. acre (0.0688 hectare).

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio)
to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 1475/LSG1C-82/74.—14th August 1974.—The following draft of an amendment which, in exercise of the power conferred by sub-section (2) of section 82 of the Calcutta Municipal Act, 1951 (West Ben. Act XXXIII of 1951), the Governor proposes to make in Calcutta Municipal Service Commission Rules, 1953, published with this department notification No. 680/MSR-6/53, dated the 20th January 1954 at pages 51-56 of Part I of the "Calcutta Gazette, Extraordinary", of the 22nd January 1954, as subsequently amended (hereinafter referred to as the said rules), is hereby published as required by sub-section (1) of section 533 of the said Act for the information of the persons likely to be affected thereby.

2. The draft will be taken into consideration on or after the 15th September 1974, and any objection or suggestion in respect thereto which may be received by the undersigned before that date will be duly considered.

Draft Amendment

In the schedule to the said rules, in the third column under the heading, "scale of pay and allowances", for the existing entries against serial No. 4, the following entries shall be substituted and shall be deemed always to have been substituted on and from the 1st April 1970:—

"(i) Rs. 330—10—400—15—550 (Efficiency bar after 8th stage) plus allowances as admissible to similar employees of the State Government.

(ii) The existing holders of the posts shall draw pay in the revised scale of Rs. 375—10—415—15—610—20—650 (Efficiency bars after 8th and 16th stages) as personal to them while the holders of the posts of Lower Division Assistants in the scale of Rs. 150—5—250 (unrevised) shall, on promotion, to the posts of Upper Division Assistants, draw pay in the revised scale of Rs. 375—10—415—15—610—20—650 (Efficiency bars after 8th and 16th stages) as personal to them.

In addition they will draw allowances as admissible to similar employees of the State Government".

By order of the Governor,
H. DAS GUPTA,
Spl. Officer and ex-officio Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 4349/MIM-62/73.—16th August 1974.—In exercise of the power conferred by sub-clause (bb) of clause (ii) of sub-section (1) of section 554 of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), and in partial modification of Government order No. 2666/MIM-142/70, dated the 16th May 1972, the Governor is pleased hereby to direct that with immediate effect, all the powers and duties which may, under the provisions of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932) or any other Act or any Ordinance or any Regulation or any rule, by-law, order, notification or subsidiary legislation made under the provisions of the said Act or such other Act or such Ordinance or such Regulation, be exercised and performed by the Chairman and by the Commissioners whether at a meeting or otherwise, shall be exercised by the B.D.O., Rampurhat 1 Block, in addition to his own duties.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 19296F.S./FS/14R-3/72. — 17th August 1974.—Whereas the Governor considers it necessary and expedient so to do in the public interest;

Now, therefore, in exercise of the power conferred by paragraph 20 of the West Bengal Rice and Paddy (Licensing and Control) Order, 1967, the Governor is pleased hereby to exempt, until further orders, all companies registered under the Companies Act, 1956 (Act 1 of 1956), each of which has its registered office in the State of West Bengal and has the Governor of West Bengal as one of its shareholders and is engaged, among other things, in purchase, storage, processing, movement, transport, distribution and sale of foodgrains and foodstuffs, from the operation of all the provisions of the said order.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

DECLARATION

CALCUTTA.—No. 16650-L.A.(II)/2R-29/72.—16th August 1974.—Whereas the function of the Central Government under Land Acquisition Act, 1894 (1 of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1/55-Judl., dated the 14th May 1955, issued by the Government of India, in the Ministry of Home Affairs, under clause (1) of Article 258 of the Constitution of India as S.R.O. 1074 and published at page 868, Part II, Section 3, of the "Gazette of India" dated 21st May 1955;

And whereas the Governor is satisfied that land is needed for a public purpose, namely for construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby declared that the land comprising premises No. 103, Chittaranjan Avenue in Ward No. 47 of the Calcutta Municipality and measuring, more or less, 0.0246 of a hectare (0.0608 of an acre) as described below is needed for the aforesaid public purpose at the public expense within the aforesaid ward of the Calcutta Municipality in the city of Calcutta:

Schedule

Name of Road/Street/Lane or Premises No.—Chittaranjan Avenue, 103.

Specific portion to be acquired—Full.

Area—0.0246 hectare (0.0608 acre).

Ward No.—47.

and bounded on the—

North—By Debendra Mullick Street.

East—By Chittaranjan Avenue.

South—By Premises No. 101B, Chittaranjan Avenue.

West—By Premises No. 13A, Debendra Mullick Street.

This declaration is made under the provisions of section 6 of Act I of 1894, read with the above-said notification, to all whom it may concern.

A plan of the land may be inspected in the Office of the 1st Land Acquisition Collector, Calcutta, at premises No. 45, Princep Street (45 Biplabi Anukul Chandra Street), Calcutta-700013.

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL.

DEPARTMENT OF HEALTH AND FAMILY PLANNING

Establishment

NOTIFICATIONS

No. Estt/VII/8154/Admn/1B-212/73. — 28th November 1973.—The Governor was pleased to grant Dr. Barid Baran Dutta of the West Bengal Dental (Basic Grade) Service, now employed as Assistant Professor, Department of Operative Dentistry, Dr. R. Ahmed Dental College and Hospital, Calcutta, extension of study leave for the period from 18th May 1973 to 16th June 1973 in terms of rule 197 of the West Bengal Service Rules, Part I.

By order of the Governor,
N. M. CHAUDHURI,
Asstt. Secy. to the Govt. of West Bengal.

No. Estt/8160/Admn/1N-111/71.—28th November 1973.—The Governor was pleased to grant Dr. Nani Gopal Gupta of the West Bengal Health Service, now employed as Residential Medical Officer, M. R. Bangur Hospital, Tollygauj,

Calcutta, commuted leave on medical certificate for eighteen days for the period from 9th May 1973 to 26th May 1973 under rule 173(c) of the West Bengal Service Rules, Part I.

By order of the Governor,

N. M. CHAUDHURI,

Asstt. Secy. to the Govt. of West Bengal.

No. Estt/8188/Admn/1N-73-71.—29th November 1973.—The Governor was pleased to grant Dr. (Sm.) Namita Bhattacharyya of the West Bengal Health Service, now employed as Lady Medical Officer, Subdivisional Hospital, Diamond Harbour, leave for the period from 22nd July 1973 to 9th August 1973 as follows:—

(1) Earned leave for twelve days from 22nd July 1973 to 2nd August 1973 under rule 179(i) of the West Bengal Family Rules, Part I.

(2) Extraordinary leave for seven days from 3rd August 1973 to 9th August 1973 under rule 175(a) ibid.

By order of the Governor,

N. M. CHAUDHURI,

Asstt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

Finance Department

(Budget)

NOTIFICATION

No. 4100-F.B.

Calcutta, the 17th August 1974.

6 per cent. West Bengal Loan, 1984, issued at Rs.99.00 per cent. and redeemable at par on 27th August 1984.

1. *Object.*—The proceeds of the loan will be utilised towards meeting the capital expenditure of developmental schemes included in the State Plan.

2. *Security for loan.*—In accordance with Article 293(1) of the Constitution of India, the loan will be secured on the whole of the Consolidated Fund of the Government of West Bengal.

The consent of the Central Government has been obtained to the floatation of this loan as required by Article 293(3) of the Constitution of India.

3. *Description.*—The loan will be briefly described as the 6 per cent. West Bengal Loan, 1984.

4. *Amount of Issue.*—The amount of the loan will be Rs.13.50 crores.

5. *Issue price.*—The issue price will be Rs.99.00 for every Rs.100 of the loan applied for.

6. *Subscriptions.*—Subscriptions will be received from 27th August 1974 to 31st August 1974, both days inclusive. Subscriptions may be in the form of cash|cheque or securities of 4½ per cent. West Bengal Loan, 1974. The loan will be closed without notice as soon as it appears that the total subscriptions in cash and securities of the 4½ per cent. West Bengal Loan. 1974 amount approximately to Rs.13.50 crores and in any case not later than the close of business on 31st August 1974. The Government reserves the right to retain subscriptions received up to 10 per cent. in excess of the sum of Rs.13.50 crores.

7. *Partial allotment.*—If the total subscriptions exceed the sum of Rs.14.85 crores, partial allotment will be made to the subscribers in cash. If partial allotment is made, a proportionate refund will be made as soon as possible after allotment. No interest will be paid on the amount so refunded.

8. *Date of repayment.*—The loan will have a currency of 10 years from the 27th August 1974 and will be repaid at par on the 27th August 1984.

9. *Interest.*—The loan will bear interest at the rate of 6 per cent. per annum from 27th August 1974. Interest will be payable half-yearly on the 27th February and 27th August and will be subject to tax under the Income Tax Act, 1961.

Refunds of tax deducted, if any, at the time of payment (at rates prescribed by the annual Finance Acts) will be obtainable by holders of the loan, who are not liable to tax or who are liable to tax at a rate lower than the rate at which tax was deducted. A holder who is not liable to tax or who is liable to tax at a rate lower than the prescribed rate can obtain, on application, a certificate from the Income-tax Officer of the district authorising payment of interest to him without deduction of tax or with deduction of tax at such lower rate as may be applicable to the holder.

Interest on Government securities along with income in the form of interest or dividends on other approved investments will be exempt from income-tax subject to a limit of Rs.3,000 per annum and subject to the other provisions of section 80L of the Income Tax Act, 1961.

10. The value of investments in the loan now issued together with the value of other previous investments in Government securities and the other investments specified in section 5 of the Wealth Tax Act, 1957, will also be exempt from the Wealth Tax up to Rs.1,50,000.

11. *Place of payment of interest.*—Interest will be paid at any Treasury or Sub-treasury in the State of West Bengal and at the Reserve Bank of India, Public Debt Offices at Ahmedabad, Bangalore, Bombay, Calcutta, Hyderabad, Jaipur, Kanpur, Madras, Nagpur, New Delhi and Patna.

12. *Conversion Terms.*—(i) The securities of the 4½ per cent. West Bengal Loan, 1974 will be accepted at par in payment of subscription to the 6 per cent. West Bengal Loan, 1984. If the cash value of the securities tendered is not an exact multiple of the issue price per cent. of the 6 per cent West Bengal Loan, 1984, the tenderer will receive in cash at the time of the issue of the new securities the amount by which the value of the securities tendered exceeds the nearest lower multiple of the issue price. (ii) Interest on the securities of 4½ per cent. West Bengal Loan. 1974 will be paid at the rate of 4½ per cent. per annum up to and inclusive of 26th August, 1974 at the time of issue of the new securities.

13. *Form of securities.*—The loan will be issued in the form of:—

(1) Stock, the applicants for which will be given Stock Certificates, or

(2) Promissory Notes.

If no preference is stated by the applicants, the securities will be issued in the form of Promissory Notes which are transferable by endorsement.

14. *Applications for loan.*—(1) Applications for the loan must be for Rs.100 or multiples thereof.

(2) Applications will be received at:—

(*a*) The offices of the Reserve Bank of India, Ahmedabad, Bangalore, Bombay (Fort and Byculla), Calcutta, Hyderabad, Kanpur, Madras, Nagpur, New Delhi and Patna;

(*b*) The branch of the State Bank of Bikaner and Jaipur at Jaipur; and

(*c*) The branches of the State Bank of India within the State of West Bengal except at Calcutta.

(3) Applications may be made in the form attached hereto [printed copies of which are available at the places mentioned in sub-paragraph (2) above] or in any other form which states clearly the amount and description of the securities required, the full name and address of the applicant and the Public Debt Office or Treasury or Sub-treasury at which he desires that interest shall be paid.

15. *Method of paying subscriptions.*—Applications should be accompanied by the necessary payment in cash or by cheque or securities of the 4½ per cent. West Bengal Loan, 1974 for the amount of the loan applied for. Cheques tendered at offices of the Reserve Bank of India, the State Bank of Bikaner and Jaipur, and the State Bank of India should be drawn in favour of the Bank concerned. When a cheque is tendered in payment of the application money, the security will not be issued until the amount of the cheque has been realised.

16. *Brokerage.*—Brokerage will be paid at the rate of 6 paise per Rs.100 (Nominal) to recognised Banks and brokers on allotments made in respect of applications for the loan tendered by them and bearing their stamp.

The claim for payment of brokerage should be preferred at the paying office within six months from the date of floatation of the loan.

17. *Sinking Fund.*—The Government of West Bengal will make such annual contributions to a Sinking Fund to be utilised towards the amortisation of their open market loans, as they may from time to time decide to be necessary.

18. *Depreciation Fund.*—The Government of West Bengal will, if necessary, provide in each financial year from 1975-76 to 1983-84 an amount not exceeding 1½ per cent. of the total nominal amount of the loan to be used for purchasing the securities of the loan in the event of any depreciation in the prices of the loan.

19. *Public Debt Office.*—The State Public Debt Office will be located at the Reserve Bank of India, Calcutta.

By order and in the name of the Governor of West Bengal,

S. R. DAS,

Financial Commissioner and

Secretary to the Government of West Bengal.

FORM OF APPLICATION

6 per cent. West Bengal Loan, 1984

I/We, _____, herewith tender
[Full Name(s) in Block Capital letters.]

*+ cash/cheque Rs _____

*+Securities of the 4½ per cent. West Bengal Loan, 1974 Rs _____ of the nominal value of Rs. +_____ and request that securities of the 6 per cent. West Bengal Loan, 1984, of the nominal value of Rs._____ may be issued to me/us in the form of Promissory Note(s)† of the denominations stated below :—

Stock Certificate

_____ Promissory Notes of Rs._____ each
_____ Promissory Notes of Rs _____ each
_____ Promissory Notes of Rs._____ each

2. I/We desire that interest be paid at _____

N.B.—The applicant should not write anything in this cage. The entries will be filled in by the Public Debt Office.

	Initials.	Date.
Application No. ..		
N. B. Stamp ..		
Cash received ..		
Cheque realised ..		
Credited to Special Current Account ..		
Examined .		
Cash Applications Register posted ..		
Brokerage Register posted ..		
Indent No. ..		
Scrip No. ..		
Card No. ..		
Voucher passed on ..		

Signature .....

Name (in full).....

.....

Profession :—Service /Trading/Agriculturist/Business/ Money-lender/Independent Profession/Others.....

.....

(Please specify)

(Delete items not applicable)

Address .....

.....

.....

Dated *August 1974.*

Note.—(1) Separate application should be made for each form of scrip (Stock Certificate or Promissory Note) of the new loan required.

(2) If the applicant's signature is by thumb mark, it should be witnessed by two persons. The full names, occupations and addresses of the witnesses should be appended to their signatures.

(3) Securities tendered for conversion should be endorsed with the words "Pay to the Governor of West Bengal" over the signature of the applicant, if they are in the form of Promissory Notes and the transfer deed on the back should be signed by him before a witness, if they are in the form of Stock Certificates.

(4) If the application is made in the name of a registered body, the under-noted documents, if not already registered at the Public Debt Office, should be enclosed with the investment application—

(*i*) Certificate of Registration/Incorporation.
(*ii*) Memorandum and Articles of Association or a certified copy of the Rules and Regulations/Bye-laws of the body/company.
(*iii*) Certified copy of Resolution in favour of the person authorised to deal in Government securities on behalf of the body/company.

(5) Applicants desiring the issue of scripts in the form of Stock Certificates should also complete a Mandate Form (obtainable from Public Debt Office) for transmission of half-yearly interest to them.

*Delete what is not required.
+Figures and words to be written here.
†Promissory Notes will be issued in denominations of Rs.100, Rs 500, Rs.1,000, Rs.5,000, Rs.10,000, Rs.25,000, Rs.50,000 and Rs.1,00,000. State here the particular denomination required.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4905-F.T.—20th August 1974.—In exercise of the power conferred by sub-section (1) of section 6 of the Taxes on Entry of Goods into Calcutta Metropolitan Area Act, 1972 (West Ben. Act V of 1972), the Governor is pleased hereby to make, with effect from the 1st August 1974, the following amendment in this department notification No. 1718-F.T., dated the 1st April 1972, published at pages 768 (1) to 769 (9) of Part I of the "Calcutta Gazette, Extraordinary", dated the 3rd April 1972, as subsequently amended (hereinafter referred to as the said notification), namely:—

Amendment

In the Table appended to the said notification, under the heading "Class VIII", omit Serial No. 55 and the corresponding entries relating thereto under columns 2 and 3.

By order of the Governor,

S. SARKAR,

Asstt. Secy. to the Govt. of West Bengal.

IRRIGATION AND WATERWAYS DEPARTMENT

NOTIFICATION

No. 12-I. — 19th August 1974. — Whereas the Governor is of opinion that lands in the area included within the boundaries specified in part II of the schedule below (hereinafter referred to as the said area) are benefited or are likely to be benefited by irrigation during kharif season by the water supplied from the irrigation work, namely, the Mayurakshi Reservoir Project including the Bakreswar Canal in the districts of Birbhum, Burdwan and Murshidabad, the full description whereof is stated in part I of the schedule below;

Now, therefore, in exercise of the power conferred by section 4 of the West Bengal Irrigation (Imposition of Water Rate) Ordinance, 1974 (West Ben. Ord. VII of 1974), and in supersession of all notifications relating to imposition of improvement levy issued under the provisions of the Bengal Development Act, 1935 (Ben. Act XVI of 1935), the Governor is pleased hereby to declare his intention to impose with effect from 1st day of July 1974, in the said area a water rate for kharif season every year.

Any person interested in any land likely to be affected by such imposition of water rate, desiring to prefer, under sub-section (1) of section 5 of the said Ordinance any objection to the intended imposition of water rate or inclusion of such land in the said area may do so by submitting to the State Government such objection within a period of thirty days from the date of publication of this notification in the "Calcutta Gazette".

THE SCHEDULE

PART I—Description of the Irrigation Work—

The Canal system consists of:

A. Mayurakshi Dwarka Main Canal of length 545.63 chains (16.63 Km.) which starts from the Tilpara Barrage on the Mayurakshi River in mauza Khairakuri, jurisdiction list No. 116, in police-station Md. Bazar in the district of Birbhum on the north bank of Mayurakshi River and ends at Dwarka Barrage on the river Dwarka in mauza Deocha, jurisdiction list No. 67, in police-station Md. Bazar in the district of Birbhum with all its Distributaries, Minors and Water courses.

(a) The Mayurakshi Dwarka Branch Canal of length 1392.00 chains (42.43 km.) which starts from the Mayurakshi Dwarka Main Canal on the right bank of Mayurakshi-Dwarka Main Canal in mauza Chak Mukunda, jurisdiction list No. 122 of police-station Md. Bazar in the district of Birbhum and ends in mauza Upalat, jurisdiction list No. 104, police-station Khargram in the district of Murshidabad with all its Distributaries, Minors and Water courses.

B. Dwarka Brahmani Main Canal of length 1250.00 chains (38.10 km.) which starts from the Dwarka Barrage in mauza Bahadurganj, jurisdiction list No. 68, in police-station Md. Bazar in the district of Birbhum and ends at the Brahmani Barrage in mauza Baidara, jurisdiction list No. 9, in police-station Rampurhat in the district of Birbhum with all its Distributaries, Minors and Water courses.

(a) Dwarka Brahmani Branch Canal of length 887.53 chains (27.05 km.) which takes off in mauza Baidara, jurisdiction list list No. 9, in police-station Rampurhat of Birbhum district and ends at mauza Dhanigram, jurisdiction list No. 11, in police-station Khargram in the district of Murshidabad with all its Distributaries, Minors and Water courses.

C. Brahmani North Main Canal of length 1547.00 chains (47.15 km.) which starts from the mauza Haridaspur, jurisdiction list No. 30, in police-station Nalhati of Birbhum district and ends at mauza Gangedda, jurisdiction list No. 31, in police-station Sagardighi, district Murshidabad, with all its Distributaries, Minors and Water courses.

D. Mayurakshi Bakreswar Main Canal of length 740.25 chains (22.43 km.) on the south bank of Mayurakshi which starts from mauza Maliara, jurisdiction list No. 2, in police-station Suri in the district of Birbhum and ends in Bakreswar Weir on the river Bakreswar in mauza Bisalpur, jurisdiction list No. 48, in police-station Dubrajpur in the district of Birbhum with all its Distributaries, Minors and Water courses.

(a) The Mayurakshi Bakreswar Branch Canal of length 1551.00 chains (47.15 km.) which takes off from the Mayurakshi Bakreswar Main Canal in mauza Suri, jurisdiction list No. 8, police-station Suri, district Birbhum, and ends in mauza Jushari, jurisdiction list No. 157, police-station Burwan, in the district of Murshidabad, with all its Distributaries, Minors and Water courses.

E. The Bakreswar Kopai Main Canal of length 372 chains (11.3 km.) which takes off from the Bakreswar Weir in mauzas Jharia, Mohammadpur, jurisdiction list No. 178, police-station Dubrajpur of Birbhum district and ends in Kopai Barrage on the mauza Kultore, jurisdiction list No. 235, in police-station Dubrajpur of Birbhum district with all its Distributaries, Minors and Water courses.

(a) The Bakreswar Canal of length 604.00 chains (18.24 km.) which takes off from Bakreswar Kopai Main Canal in mauza Piripur, jurisdiction list No. 177, police-station Dubrajpur of Birbhum district and ends in mauza Gadadharpur, jurisdiction list No. 174, police-station Sainthia of Birbhum district with all its Distributaries, Minors and Water courses.

(b) The Bakreswar Kopai Branch Canal of length of 1010.00 chains (30.70 km.) which starts from Bakreswar Kopai Main Canal in mauza Kanchannagar, jurisdiction list No. 234, police-station Dubrajpur and ends at mauza Nautara, jurisdiction list No. 35, police-station Labpur, district Birbhum, with all its Distributaries, Minors and Water courses.

F. The Kopai South Main Canal of length 2562.00 chains (77.88 km.) which starts from Kopai barrage in mauza Kultore, jurisdiction list No. 235, police-station Dubrajpur, district Birbhum, and ends at mauza Kagram, jurisdiction list No. 104, police-station Bharatpur of Murshidabad district with all its Distributaries, Minors and Water courses.

PART II—Boundaries of the area

The area is bounded on the north by the mauzas —Hilora, jurisdiction list No. 33, Bangsabati, jurisdiction list No. 40, Aluari, jurisdiction list No. 37 and Srirampur, jurisdiction list No. 36, in police-station Suti of the district of Murshidabad, on the east by mauzas—Bainda, jurisdiction list No. 102, Nait Baidara, jurisdiction list No. 103, Mandalpur, jurisdiction list No. 107, Senda Jamuar, jurisdiction list No. 106, Siddhikali, jurisdiction list No. 121, Kulri, jurisdiction list No. 122, Prasadpur, jurisdiction list No. 124, in police-station Raghunathganj of the district of Murshidabad, Biprakali, jurisdiction list No. 1, Chandpur, jurisdiction list No. 2, Baburgram, jurisdiction list No. 3, Ramnasekhdighi, jurisdiction list No. 6, Fulsahari, jurisdiction list No. 9 ,Udaynagar, jurisdiction list No. 33, Sitalpara, jurisdiction list No. 34, Gokulta, jurisdiction list No. 55, Chak Mathurapur, jurisdiction list No. 56, Kaiar, jurisdiction list No. 53, Bokhara, jurisdiction list

No. 62, Telangal, jurisdiction list No. 61, in police-station Sagardighi of the district of Murshidabad, Naoapara, jurisdiction list No. 128, Khalilpur, jurisdiction list No. 129, Gokulpur, jurisdiction list No. 130, Asuria, jurisdiction list No. 132, Nidhia, jurisdiction list No. 131, in police-station Nalhati of the district of Birbhum, Targram, jurisdiction list No. 1, Tentulia, jurisdiction list No. 6, Mehenadanga, jurisdiction list No. 4, Kharikadanga, jurisdiction list No. 5, Panchgram, jurisdiction list No. 23, in police-station Nabagram of the district of Murshidabad, Kamalpur, jurisdiction list No. 143, in police-station Nalhati of the district of Birbhum, Titidanga, jurisdiction list No. 10, Dhanigram, jurisdiction list No. 11, Jadabpur, jurisdiction list No. 12, Digha, jurisdiction list No. 13, Kelai, jurisdiction list No. 14, Hazipur, jurisdiction list No. 16, Khansamudanga, jurisdiction list No. 39, Sarmastapur, jurisdiction list No. 41, Rahimnagar, jurisdiction list No. 42, Rahigram, jurisdiction list No. 43, Amjua, jurisdiction list No. 51, Churigram, jurisdiction list No. 52, Durgarampur, jurisdiction list No. 53, Gobindapur, jurisdiction list No. 54, Sahapur, jurisdiction list No. 57, Bagrai, jurisdiction list No. 59, Atai, jurisdiction list No. 86, Dunigram, jurisdiction list No. 87, Margram, jurisdiction list No. 88, Pathai, jurisdiction list No. 89, Khesa, jurisdiction list No. 94, Gurulia, jurisdiction list No. 114, Bilsankura, jurisdiction list No. 116, Garutia, jurisdiction list No. 115, Katigram, jurisdiction list No. 113, Khargram, jurisdiction list No. 139, Jamuri, jurisdiction list No. 137, Goai, jurisdiction list No. 136, Banur, jurisdiction list No. 135, Dangapara, jurisdiction list No. 134, in police-station Khargram of the district of Murshidabad, by mauzas Gandharbhapur, jurisdiction list No. 59, Manoharpur, jurisdiction list No. 58, Gopalpur, jurisdiction list No. 57, Mohadia, jurisdiction list No. 94, Saspara, jurisdiction list No. 92, Bagdanga, jurisdiction list No. 91, in police-station Kandi of the district of Murshidabad, Gangeda, jurisdiction list No. 20, Sripatipur, jurisdiction list No. 19, Baje Chautor, jurisdiction list No. 32, Hamidpur, jurisdiction list No. 18, Gurdiria, jurisdiction list No. 17, Ruha, jurisdiction list No. 16, Jadabpur, jurisdiction list No. 15, Bindarpur, jurisdiction list No. 13, Harischandrapur, jurisdiction list No. 12, in police-station Bharatpur of the district of Murshidabad, Phupra, jurisdiction list No. 143, Sibrambati, jurisdiction list No. 146, Belgram, jurisdiction list No. 142, Hatisala, jurisdiction list No. 141, Sundarpur, jurisdiction list No. 153, Sonabharai, jurisdiction list No. 155, Tarapur, jurisdiction list No. 156, Mamudpur, jurisdiction list No. 160, in police-station Barwan of the district of Murshidabad. Chechuri, jurisdiction list No. 1, Chakta, jurisdiction list No. 2, Majhina, jurisdiction list No. 4, in police-station Ketugram, district Burdwan, Gidgram, jurisdiction list No. 50, Sahabajpur, jurisdiction list No. 51, Bharadanga Serpur, jurisdiction list No. 52, Gaysabad, jurisdiction list No. 53, Talgram, jurisdiction list No. 42, Manoharpur, jurisdiction list No. 41, Santoshpur, jurisdiction list No. 40, Bharatpur, jurisdiction list No. 68, Arazi Jagdisbati, jurisdiction list No. 28, Alugram, jurisdiction list No. 69, Sunia, jurisdiction list No. 70, Bulchandpur, jurisdiction list No. 76, Masla, jurisdiction list No. 78, Uttar Sahapur, jurisdiction list No. 77, Amlai, jurisdiction list No. 130, Bhaluipara, jurisdiction list No. 129, Narayanpur, jurisdiction list No. 128, Podmur, jurisdiction list No. 80, Singram, jurisdiction list No. 81, Bhotta, jurisdiction list No. 82, Sahapur, jurisdiction list No. 124, Sayed Kulutia, jurisdiction list No. 83, Salinda, jurisdiction list No. 122, Kandra, jurisdiction list No. 114, Ghoshpara, jurisdiction list No. 138, Naopara, jurisdiction list No. 137, Bara Baidyapur, jurisdiction list No. 136, Tenya, jurisdiction list No. 140, Chak Gupura, jurisdiction list No. 142, Barapati, jurisdiction list No. 141, Talibpur, jurisdiction list No. 107, Barara, jurisdiction list No. 106, Dhandanga, jurisdiction list No. 105, in police-station Bharatpur of the district of Murshidabad, Maugram, jurisdiction list No. 102, Kalyanpur, jurisdiction list No. 110, Bishnupur, jurisdiction list No. 111, Siruli, jurisdiction list No. 112, Duttabati, jurisdiction list No. 113, Nallapur, jurisdiction list No. 114, Sitabati, jurisdiction list No. 116, Naihati, jurisdiction list No. 117, Uddharanpur, jurisdiction list No. 118 on the south by mauzas Nabagram, jurisdiction list No. 93, Chauki, jurisdiction list No. 76, Billeswar Rasui, jurisdiction list No. 75, Teora, jurisdiction list No. 74, Bakalsa, jurisdiction list No. 64, Gahful, jurisdiction list No. 62, Kulai, jurisdiction list No. 65, Ghatkuria, jurisdiction list No. 61, Naopara, jurisdiction list No. 56, Chakdaha, jurisdiction list No. 55, Narenga, jurisdiction list No. 54, in police-station Ketugram of the district of Burdwan, Gomra, jurisdiction list No. 100, Gangusra, jurisdiction list No. 101, Srikrishnapur, jurisdiction list No. 135, Hosenpur, jurisdiction list No. 131, Harmur, jurisdiction list No. 129, Patipara, jurisdiction list No. 124, Mangalpur, jurisdictioni list No. 123, Santra, jurisdiction list No. 122, Tikuri, jurisdiction list No. 118, Kurgram, jurisdiction list No. 119, Sidhai, jurisdiction list No. 117, Sundarpur, jurisdiction list No. 116, Bammia, jurisdiction list No. 115, in police-station Nanur of the district of Birbhum, Jahanabad, jurisdiction list No. 169, Laudaha, jurisdiction list No. 167, Mostala, jurisdiction list No. 166, Ghidaha, jurisdiction list No. 165, Jasra, jurisdiction list No. 164, Mahadebpur, jurisdiction list No. 157, Ghogolandu, jurisdiction list No. 156, Itanda, jurisdiction list No. 155, Rasulpur, jurisdiction list No. 147, Haripur, jurisdiction list No. 146, Barasimulia, jurisdiction list No. 145, Gitgram, jurisdiction list No. 114, Mahuli, jurisdiction list No. 119, Ramchandrapur, jurisdiction list No. 112, Udaypur, jurisdiction list No. 117, Chandanpur, jurisdiction list No. 110, Dakshin Radhanagar, jurisdiction list No. 108, Purushottampur, jurisdiction list No. 107, in police-station Bolpur of the district of Birbhum, on the west by mauzas Chella, jurisdiction list No. 138, Gopalnagar, jurisdiction list No. 132, Kamarpara, jurisdiction list No. 131, in police-station Illambazar of the district Birbhum, Paschim Bahadurpur, jurisdiction list No. 53, Ruppur, jurisdiction list No. 52, in police-station Bolpur of the district of Birbhum, Saldanga, jurisdiction list No. 118, Dhalla, jurisdiction list No. 119, Pratappur, jurisdiction list No. 120, Beloa, jurisdiction list No. 121, Nanasol, jurisdiction list No. 98,

Chunapalasi, jurisdiction list No. 100, Kayera, jurisdiction list No. 107, Pachiara, jurisdiction list No. 106, Tulamra, jurisdiction list No. 36, Satlapur, jurisdiction list No. 40, Delora, jurisdiction list No. 42, Nankuia Sial, jurisdiction list No. 41, in police-station Illambazar of the district of Birbhum, Sirsa, jurisdiction list No. 232, Kultor, jurisdiction list No. 235, Kanchannagar, jurisdiction list No. 234, Kalyanpur, jurisdiction list No. 233, Sija, jurisdiction list No. 227, in police-station Dubrajpur of the district of Birbhum, Narasonda, jurisdiction list No. 1, in police-station Illambazar of the district of Birbhum, Thapgaon, jurisdiction list No. 194, Kuita, jurisdiction list No. 195, Selarpur, jurisdiction list No. 193, Damdama, jurisdiction list No. 197, Chandidarpur, jurisdiction list No. 198, Pirijpur, jurisdiction list No. 177, Jharia Mahammadpur, jurisdiction list No. 178, Bisalpur, jurisdiction list No. 180, Deochandra, jurisdiction list No. 182, Teliadangal, jurisdiction list No. 183, in police-station Dubrajpur of the district of Birbhum, Lakshmandihi, jurisdiction list No. 132, Mohanpur, jurisdiction list No. 137, Kohuguna, jurisdiction list No. 135, Panchteutul, jurisdiction list No. 136, Siur, jurisdiction list No. 129, Agar, jurisdiction list No. 126, Muramath, jurisdiction list No. 124, Uttar Raipur, jurisdiction list No. 122, Palsara, jurisdiction list No. 119, Amritapur, jurisdiction list No. 95, Abdarpur, jurisdiction list No. 97, Fatepur, jurisdiction list No. 98, Khosnator, jurisdiction list No. 99, Kenada, jurisdiction list No. 100, Suri, jurisdiction list No. 8, Nurai, jurisdiction list No. 9, Tilpara, jurisdiction list No. 10, Kamalpur, jurisdiction list No. 4, Maliana, jurisdiction list No. 2, in police-station Suri of the district of Birbhum, Khairakuri, jurisdiction list No. 116, Araipur, jurisdiction list No. 117, Maladanga, jurisdiction list No. 112, Kasthatari, jurisdiction list No. 120, Moulpur, jurisdiction list No. 121, Chak Mukunda, jurisdiction list No. 122, Nirbhaypur, jurisdiction list No. 110, Kaijuli, jurisdiction list No. 123, Baruri, jurisdiction list No. 107, Fullaipur, jurisdiction list No. 106, Bejora, jurisdiction list No. 82, Danjana, jurisdiction list No. 81, Sehala, jurisdiction list No. 79, Raipur, jurisdiction list No. 76, Tajpur, jurisdiction list No. 77, Deocha, jurisdiction list No. 67, Bahadurgunj, jurisdiction list No. 68, Kabilnagar, jurisdiction list No. 35, Saluk, jurisdiction list No. 34, Darkota, jurisdiction list No. 25, Baluti, jurisdiction list No. 28, Dighalgram, jurisdiction list No. 26, Bara Bataspur, jurisdiction list No. 27, Ganpur, jurisdiction list No. 18, Maubella, jurisdiction list No. 7, Kalisankarpur, jurisdiction list No. 12, Kalisankarpur, jurisdiction list No. 13, Kalaipahari, jurisdiction list No. 11, Erazi Kalisankarpur, jurisdiction list No. 16, Dhamara, jurisdiction list No. 15, in police-station Md. Bazar of the district of Birbhum, Masora, jurisdiction list No. 41, Jatla, jurisdiction list No. 42, Hastikanda, jurisdiction list No. 31, Khojapur, jurisdiction list No. 33, Radipur, jurisdiction list No. 21, Kanduri, jurisdiction list No. 22, Banhat, jurisdiction list No. 84, Debipur, jurisdiction list No. 18, Bhatina, jurisdiction list No. 19, Maudala, jurisdiction list No. 16, Chakaipur, jurisdiction list No. 15, Siura, jurisdiction list No. 12, Baidara, jurisdiction list No. 9, in police-station Rampurhat of the district of Birbhum, Haridaspur, jurisdiction list No. 30, Lakshminarayanpur, jurisdiction list No. 26, Bhabanandapur, jurisdiction list No. 24, Bautia, jurisdiction list No. 21, Haritoka, jurisdiction list No. 19, Amlai Bhamara, jurisdiction list No. 18, Rampur, jurisdiction list No. 17, Khanpur, jurisdiction list No. 16, Paikpara, jurisdiction list No. 57, Kukhura, jurisdiction list No. 65, Kanior, jurisdiction list No. 64, in police-station Nalhati, of the district of Birbhum, Habispur, jurisdiction list No. 133, Chatra, jurisdiction list No. 132, Dwariapur, jurisdiction list No. 136, Rudranagar, jurisdiction list No. 137, Gobindapur, jurisdiction list No. 97, Goalmal, jurisdiction list No. 95, Kalikapur, jurisdiction list No. 94, Paikar, jurisdiction list No. 76, Bardhanpara, jurisdiction list No. 75, Kamakhur, jurisdiction list No. 74, Fazilpur, jurisdiction list No. 70, Jajigram, jurisdiction list No. 72, Kulara, jurisdiction list No. 67, Uttar Ramchandrapur, jurisdiction list No. 62, Khutkali, jurisdiction list No. 61, in police-station Murarai of the district of Birbhum.

By order of the Governor,

S. K. MOITRA,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4913-F.T.—20th August 1974.—In pursuance of rule 11 of the West Bengal State Lottery Rules, 1968, as subsequently amended, the Governor is pleased hereby to appoint a Committee of Judges consisting of the following persons to supervise the 32nd Draw of the West Bengal State Lottery to be held at the Calcutta Information Centre at 1/1 Lower Circular Road, Calcutta-16, on August 24, 1974, at 10-30 a.m.:

(1) Shri K. C. Das, IA&AS, Accountant General, West Bengal—Chairman.

(2) Shri Sunil Gangopadhyay, 37/2 Gariahat Road, Calcutta-19—Member.

(3) Sm. Banani Ghosh, 60 Pratapaditya Road, Calcutta-26—Member.

(4) Shri Subhashish Guha, 55/3 Purnadas Road, Calcutta-29—Member.

(5) Shri Shanku Maharaj, 52A Babubagan Lane, Calcutta-31—Member.

By order of the Governor,
N. R. BHATTACHARYYA,
Dy. Secy. to the Govt. of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 4932-F.T.—20th August 1974.—In exercise of the power conferred by section 23 of the West Bengal Taxes on Entry of Goods in Local Areas Act, 1962 (West Ben. Act XX of 1962), the Governor is pleased to make, with effect from 20th August 1974, after previous publication as required by sub-section (1) of the said section, the following amendment in the West Bengal Taxes on Entry of Goods in Local Areas Rules, 1955, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendment

In sub-rule (1) of rule 10 of the said rules, for the words, "and three months in respect of tea" substitute the words, "and three months in respect of tea or jute".

By order of the Governor,
K. BANERJEE,
Dy. Secy. to the Govt. of West Bengal.

DEPARTMENT OF PANCHAYATS

NOTIFICATION

No. 14040-Panch.—20th August 1974.—Whereas by this Department notification No. 270-Panch., dated the 3rd February 1972, published at page 195 of Part I, of the "Calcutta Gazette, Extraordinary", dated the 7th February 1972, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Nafarganj Anchal Panchayat within Basanti Block, district 24-Parganas, was superseded for a period of one year with effect from the 7th February 1972;

And whereas by this department notification No. 2037-Panch, dated the 16th February 1973, published at page 365 of Part I, of the Calcutta Gazette, Extraordinary", dated the 20th February 1973, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of one year with effect from the 7th February 1973;

And whereas by this department notification No. 5492-Panch, dated the 17th April 1974, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 7th February 1974;

And whereas the Governor considers it necessary to extend the said period of supersession for a further term of six months;

Now, therefore, in exercise of the power conferred by clause (i) of sub-section (3) of section 68 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957), the Governor is pleased hereby to extend the said period of supersession of the Nafarganj Anchal Panchayat for a further term of six months with effect from the 7th August 1974.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

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PART IA.—Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India, and other Election Notifications published for general information. Orders and Notifications which have originally been published in the "Gazette of India" are only republished.

ELECTION COMMISSION OF INDIA

NOTIFICATION

Dated New Delhi, the 13th August 1974.

No. 480/74.—In pursuance of rule 27 of the Presidential and Vice-Presidential Elections Rules, 1974, the Election Commission hereby appoints 27th August 1974 (Tuesday) as the day on which and 6.00 p.m. of that day as the time at which the counting of votes for the Vice-Presidential election 1974 shall take place in the office of the Returning Officer (Room No. 62, First Floor of the Parliament House), in New Delhi.

By order,
A. N. SEN, Secy.
to the Election Commission of India

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

DECLARATION

NADIA.—No. 16964-L.A.(II)/4B-10/74.—20th August 1974.—Whereas the Governor is satisfied that land is needed for a public purpose, namely, for construction of building for accommodation of officers and men of Karimpur police-station in the village of Karimpur, jurisdiction list No. 6, police-station Karimpur, district Nadia, it is hereby declared that a piece of land comprising cadastral survey plot No. 370 and measuring, more or less, .0647 of a hectare (0.16 of an acre), is needed for the aforesaid public purpose at public expense within the aforesaid village of Karimpur.

This declaration is made under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Nadia.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

NOTICE

MURSHIDABAD.—No. 17093-L.A.(P.W.)2R-7/74.—21st August 1974.—Whereas .1457 hectare (.36 acre), more or less, of land situated in or near the village of Ichhalipara, described below has been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 by the person authorised under section 3 (1A), of the Act for the public purpose of providing facilities for transport and communication, namely, for the construction of link road from N. H. 34 to Nimtita Railway Station extended up to Suti Police-station (4th mile).

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Murshidabad.

Description of the land

Mauza Ichhalipara, jurisdiction list No. 59, police-station Suti, district Murshidabad

Cadastral survey plot in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
2829	South-west corner ..	0·36	·1457

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 4368/MIM-60/72Pt.III.—20th August 1974. —In exercise of the powers conferred by sub-sections (2) and (3) of the Bengal Municipal Act, 1932, (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of Notification No. 3305/MIM-60/72Pt.III, dated the 10th July 1974, read with Notification No. 4308/MIM-60/72Pt.III, dated the 9th August 1974, the Governor is pleased to appoint Shri Sushil Kumar Sen Gupta, W.B.C.S. (Retd.), to be the Executive Officer of the Bhatpara Municipality in the district of 24-Parganas, with effect from the date he takes over charge of the Bhatpara Municipality from Shri R. K. Moitra, Deputy Magistrate and Deputy Collector, Barasat, and Executive Officer, Bhatpara Municipality, and to confer and impose upon him the same powers and duties of the Chairman and the Commissioners of the Bhatpara Municipality as were conferred and imposed upon the Executive Officer of the said Municipality in Notification No. 4501/MIM-60/72, dated the 30th September 1972.

2. Notification No. 4239/M2A-51/72Pt.III, dated the 31st July 1974, appointing Shri J. M. Das Biswas, W.B.C.S. (Retd.) as Executive Officer, Bhatpara Municipality is hereby cancelled.

No. 4370/M2A-13/72.—20th August 1974.—Whereas Government in their Notification No. 3862/MIM-120/68, dated the 11th September 1968, published at pages 2185-2186 of Part I of the "Calcutta Gazette, Extraordinary", of the 11th September 1968, issued an order under section 67A of the Bengal Municipal Act 1932 (Bengal Act XV of 1932), declaring that the Ranaghat Municipality in the district of Nadia, shall have an Executive Officer for a period of three months from the date on which the Executive Officer assumes charge of his office;

And whereas in Notifications No. 4771/MIM-120/68, dated the 21st November 1968, No. 877/MIM-120/68, dated the 26th March 1969, No. 2992/MIM-120/68, dated the 16th June 1969, No. 5223/MIM-120/68, dated the 30th December 1969, No. 862/MIM-120/68, dated the 26th March 1970, No. 2043/MIM-120/68, dated the 19th June 1970, No. 8092/MIM-116/70, dated the 9th December 1970, No. 1264/MIM-116/70, dated the 22nd April 1970, No. 4024/MIM-116/70, dated the 23rd August 1971, No. 559/MIM-116/70, dated the 11th February 1972, No. 4003/M2A-13/72, dated the 24th August 1972, No. 5429/M2A-13/72, dated the 19th December 1972, No. 2191/M2A-13/72, dated the 27th June 1973, No. 4031/M2A-13/72, dated the 29th September 1973, and No. 6048/M2A-13/72, dated the 15th December 1973, the said period of appointment was extended up to the 30th June 1974;

And whereas in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st December 1974.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri N. C. Chakraborty, Sub-Deputy Magistrate and Sub-Deputy Collector, Nadia, shall continue as the Executive Officer of the Ranaghat Municipality until further order during the said extended period in addition to his own duties and that during this period the Executive Officer shall exercise and perform all the powers and duties of the Chairman and the Commissioners under the said Act whether exercisable at a meeting or otherwise.

No. 4371/M2A-13/72.—20th August 1974. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of Notification No. 4370/M2A-13/72, dated the 20th August 1974, the Governor is pleased to appoint Shri Sasanka Sekhar Biswas, Special Officer, Grade-II, under the Department of Municipal Services and Executive Officer, Krishnagar Municipality, to be the Executive Officer of the Ranaghat Municipality in the district of Nadia, in addition to his own duties with effect from the date he takes over charge as Executive Officer, Ranaghat Municipality, from Shri N. C. Chakraborty, Sub-Deputy Magistrate and Sub-Deputy Collector and Executive Officer, Ranaghat Municipality, and to confer and impose on him all the powers and duties of the Chairman and the Commissioners under the said Act, whether exercisable at a meeting or otherwise.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

HOWRAH.—No. 17145-L A.(P.W.)/II-360/74.—21st August 1974 -Whereas 4·0025 hectares (9·89 acres), more or less, of land situate in or near the village of Bauria described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 by the person authorised under section 3(1A) of the Act, for the public purpose of providing facilities or irrigation and drainage, namely, for Lower Damodar Improvement Scheme

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor agrees such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub section (1A) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948(West Bengal Act II of 1948), to all whom it may concern

A plan of the land may be inspected in the office of the Special Land Acquisition Collector, Howrah

Description of the land

Mauza Bauria, jurisdiction list No. 36, Police-station Uluberia, district Howrah.

Revisional survey plots Nos. in full—5, 20, 21, 517, 518, 519, 520, 521, 522, 882, 894, 1101, 5/2662, 20/2663 and 21/2664.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
4	Western	·05	·0202
883	Western	1·30	·5262
884	Western	·01	·0040
895	Eastern	·30	·1214
900	Eastern	·105	·0425
901	Eastern	·115	·0465
902	Eastern	·215	·0870
907	Eastern	·12	·0486
908	Eastern	·35	·1416
919	Eastern	·45	·1821
920	Eastern	·13	·0525
921	Eastern	·31	·1255
922	Eastern	·17	·0688
927	Eastern	·14	·0567
928	Eastern	·41	·1659
951	Eastern	·14	·0567
952	Eastern	·44	·1781
953	Eastern	·62	·2509
1100	Eastern	·105	·0425

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio), to the Govt. of West Bengal,

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Parliamentary Affairs

NOTIFICATION

No. 202-P.A.—22nd August 1974.—The following notification by the Secretary to the Governor of West Bengal is hereby published for general information:

"NOTIFICATION

No. 3245-S.—19th August 1974.—The President has assented to the West Bengal Relief Undertakings (Special Provisions) (Amendment) Bill, 1974.

P. K. SARKAR,
Secretary to the Governor, West Bengal."

By order of the Governor,
S. DATTA,
Dy. Secy. to the Govt. of West Bengal.

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SRAVANA 31] THURSDAY, AUGUST 22, 1974 [SAKA 1896

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 1989-L.—22nd August, 1974.—The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information:—

West Bengal Act XXXVI of 1974

THE WEST BENGAL RELIEF UNDERTAKINGS (SPECIAL PROVISIONS) (AMENDMENT) ACT, 1974.

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary,* of the 22nd August, 1974.]

An Act to amend the West Bengal Relief Undertakings (Special Provisions) Act, 1972.

WHEREAS it is expedient to amend the West Bengal Relief Undertakings (Special Provisions) Act, 1972, for the purpose and in the manner hereinafter appearing; West Ben. Act XIII of 1972

It is hereby enacted in the Twenty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title. **1.** This Act may be called the West Bengal Relief Undertakings (Special Provisions) (Amendment) Act, 1974.

Amendment of section 3 of West Ben. Act XIII of 1972. **2.** In section 3 of the West Bengal Relief Undertakings (Special Provisions) Act, 1972, in the proviso, for the words "five years", the words "seven years" shall be substituted.

By order of the Governor,
K. K. MOITRA,
Secy. to the Govt. of West Bengal.

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PART IA—Orders and notifications of the Government of India, Statutory notifications of the Election Commission, India, and other Election notifications published for general information. Orders and notifications which have originally been published in the "Gazette of India" are only republished

লোকসভা সচিবালয়

নিদর্শ নং ৫

[রাষ্ট্রপতি এবং উপ-রাষ্ট্রপতি নির্বাচন নিয়মাবলী, ১৯৭৪-এর ৬নং নিয়ম দ্রষ্টব্য]

ভারতের উপ-রাষ্ট্রপতি পদের জন্য নির্বাচন

প্রতিদ্বন্দ্বী প্রার্থীদের তালিকা

ক্রমিক নং	প্রার্থীদের নাম	প্রার্থীদের ঠিকানা
১।	শ্রীনিরল ইনেম হোরো	লোকসভা সদস্য, জি, ই. এল চার্চ কম্পাউন্ড, রাঁচি, বিহার
২।	শ্রীবাসাপ্পা দানাপ্পা জাত্তি	ওড়িশার বর্তমান রাজ্যপাল, রাজভবন, ভুবনেশ্বর (ওড়িশা)

এস, এল, শকধের,
মহা-সচিব, লোকসভা এবং নির্বাচন-আধিকারিক,
উপ-রাষ্ট্রপতি নির্বাচন।

নয়াদিল্লী
আগষ্ট ১২, ১৯৭৪

LOK SABHA SECRETARIAT

FORM 5

[See rule 6 of the Presidential and Vice-Presidential Elections Rules, 1974]

ELECTION TO THE OFFICE OF VICE-PRESIDENT OF INDIA

List of Contesting Candidates

Sl. No.	Name of candidate	Address of candidate
1.	Shri Niral Enem Horo	Member of Lok Sabha, G.E.L. Church Compound, Ranchi, Bihar.
2.	Shri Basappa Danappa Jatti	Now Governor of Orissa, Raj Bhavan, Bhubaneswar (Orissa).

S. L. SHAKDHER,
Secretary-General, Lok Sabha
&
Returning Officer for the Vice-Presidential Election.

New Delhi,
August 12, 1974

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

OFFICE OF THE WEST BENGAL NURSING COUNCIL

NOTICE

Dated Calcutta, the 22nd August 1974.

It is hereby notified for general information that on the expiry of the term of the office of the existing members, other than the ex officio members of the Council, a fresh election under clause (m) of section 4 of the Bengal Nurses Act, 1934 (West Bengal Amendment Act, 1949), for (i) one registered nurse to be elected by the electorate of registered nurses, (ii) one registered midwife to be elected by the electorate of registered midwives, (iii) one registered health visitor by the electorate of registered health visitors will now be held according to the following programme. Only persons whose names are borne in the final electoral roll are entitled to participate in the election.

Last date for receiving nomination paper by the Returning Officer in her office (forms of nomination papers may be had from the Office of the Returning Officer at 8 Lyons Range, Calcutta, on written request)—29th August 1974, 12 noon.

Scrutiny of nomination paper—30th August 1974, 12 noon.

Last date for despatch of voting papers by registered post—9th September 1974.

Last date for receiving voting papers by the Returning Officer in her office—20th September 1974, 3 p.m.

Counting of votes by the Returning Officer in her office—23rd September 1974, 12 noon.

SATI GHOSE,
Returning Officer and Registrar,
West Bengal Nursing Council

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

PANCHAYATS DEPARTMENT

ORDER

No. 14098-Panch.—16th August 1974.—Whereas by this department notification No. 7397-Panch., dated the 22nd July 1971, published at page 1489 of Part I of the "Calcutta Gazette, Extraordinary", dated the 2nd August 1971, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Ben. Act 1 of 1957), the Kamakshyaguri Anchal Panchayat within Kumargram Block, district Jalpaiguri, was superseded for a period of one year with effect from the 2nd August 1971;

And whereas by this department Nos. 9776-Panch., dated the 27th July 1972, 2261-Panch., dated the 15th February 1974 and 7656-Panch., dated the 20th May 1974, issued under clause (i) of sub-section (3)

of section 68 of the said Act, the said period of supersession was extended for a further total term of two years;

And whereas under the provisions of clause (i) of sub-section (3) of section 68 of the said Act, further extension of the period of supersession of the said Anchal Panchayat is not possible;

And whereas in constituting the said Kamakshyaguri Anchal Panchayat after expiry of the maximum period of supersession, a difficulty has arisen in a matter not provided in the said Act;

Now, therefore, in exercise of the power conferred by section 119 of the West Bengal Panchayat Act, 1957 (West Ben. Act 1 of 1957), the Governor has been pleased to authorise for the purpose of removing said difficulty, the Extension Officer for Panchayats, Kumargram Block, to perform the functions of the Kamakshyaguri Anchal Panchayat under section 46 of the said Act for a period of one year with effect from the 2nd August 1974 or till the Anchal Panchayat is reconstituted after general elections. whichever is earlier.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 4388/MIM-95/74.—22nd August 1974.—In exercise of the power conferred by clause (bb) of sub-section (1) of section 554 of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of Government order No. 4250/MIM-95/74, dated 2nd August 1974, the Governor is pleased to direct that all the powers and duties which may, under the provision of the said Act or any other Act or any ordinance or any regulation or any rule, by-law, order, notification or subsidiary legislation made under the provisions of the said Act or such other Act or such ordinance or such regulation be exercised and performed by the Chairman and the Commissioners whether at a meeting or otherwise of the Arambagh Municipality in the district of Hooghly, whose term of superannuation has been extended up to the 31st March 1975 by Government order No. 4250/MIM-95/74, dated 2nd August 1974, shall be exercised and performed by Shri S. C. Boral, W.B.C.S., Subdivisional Officer, Arambagh, in addition to his own duties, with effect

from the date of his taking over charge of the Arambagh Municipality from Shri A. K. Sengupta, Deputy Magistrate and Deputy Collector.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

HOME DEPARTMENT

Transport

NOTIFICATION

No. 10035-WT.—22nd August 1974.—In exercise of the power conferred by sub-section (1) and in particular, by clause (za) of sub-section (2) of section 68 of the Motor Vehicles Act, 1939 (4 of 1939), the Governor is pleased to make, after previous publication as required by sub-section (1) of section 133 of the said Act, the following amendment in the Bengal Motor Vehicles Rules, 1940, published with notification No. 1930-Pl., dated the 21st September 1940, at pages 2655-2829 of Part I of the "Calcutta Gazette" of the 10th October 1940, as subsequently amended (hereinafter referred to as the rules), namely:

Amendment

In the said rules, after rule 55C, insert the following rule, namely:

"55D. **Contract Carriage Tickets—Specification thereof:** The Regional Transport Authority may attach a condition to contract carriages plying on specified routes to the effect that tickets bearing specified particulars shall be issued to passengers and shall show the fares actually charged and that records of tickets issued shall be kept in a specified manner".

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

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BHADRA 2] SATURDAY, AUGUST 24, 1974 [SAKA 1896

PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 19452-F.S./FS/9S-9/72.—24th August 1974.—Whereas the Governor is of opinion that it is necessary and expedient so to do far the maintenance of supplies of iodised and non-iodised salt essential to the life of the community, and for securing the equitable distribution and availablility at a fair price, in West Bengal, of iodised and non-iodised salt;

Now, therefore, in exercise of the powers conferred by sub-rule (2), read with clause (a) of sub-rule (3), of rule 114 of the Defence of India Rules, 1971, the Governor is pleased hereby to make the following order, namely:

Order

No consignment of iodised and/or non-iodised salt or any part thereof arriving in any of the railway or steamer stations in the State of West Bengal from any of the railway or steamer stations outside the State of West Bengal shall be delivered to the consignee or to anybody else unless such delivery is authorised by an endorsement in writing to this effect by the Director of Non-cereal Essential Commodities or by the Assistant Director of Non-cereal Essential Commodities in the Department of Food and Supplies, Government of West Bengal, in Calcutta area, and by the District Magistrates/Deputy Commissioners or by the Subdivisional Officers concerned in other areas of the State outside Calcutta area, on the relevant railway or steamer receipts under which such consignment or part thereof is deliverable:

Provided that nothing in this order shall apply to the delivery of any consignment of iodised and/or non-idesed salt which is booked—

(a) on Government account,

(b) on Food Corporation of India account,

(c) on West Bengal Essential Commodities Supply Corporation Limited account,

(d) under and in accordance with a Military Credit Note,

(e) to an officer of the Defence Services by designation,

(f) on R.M.C. or

(g) as parcels.

2. No railway or steamer receipt in respect of any consignment of iodised and/or non-iodised salt or part thereof arriving in any of the railway or steamer stations in the State of West Bengal from any of the railway or steamer stations outside the State of West Bengal shall be transferred by sale or otherwise to any person unless such transfer is permitted by an order in writing to this effect made by any of the officers referred to in paragraph 1 of this order.

Explanation.—In this order,—

(a) "Calcutta area" means—

(i) the area described in Schedule I to the Calcutta Municipal Act, 1951 (West Bengal Act XXXIII of 1951), as amended by notification under section 594 of the

said Act, together with the Fort William and that part of Hastings north of the south edge of Clyde Row and Strand Road to the bank of the river Hooghly,

(ii) the area within the limits of the Port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908 (15 of 1908),

(iii) the area within the jurisdiction of the Municipality of Howrah.

(b) "Iodised salt" means common salt mixed with potassium iodate in fixed proportions,

(c) "Non-iodised salt" means common salt other than iodised salt.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Reforms

NOTIFICATIONS

No. 16738-L.Ref./20R-4/74.—19th August 1974.—In exercise of the power conferred by section 60 of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendment in the West Bengal Land Reforms (Transfer of Holding) Rules, 1965, published under this Department Notification No. 8338-L.Ref., dated the 9th June 1965, in the "Calcutta Gazette, Extraordinary", dated the 11th June 1965, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendment

In rule 4 of the said rules, for the words "rupee one and paise fifty", substitute the words "rupee one and paise eighty".

By order of the Governor,
S. MULLICK,
Secy. to the Govt. of West Bengal.

No. 16740-L.Ref./20R-5/74.—19th August 1974.—In exercise of the power conferred by section 60 of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendment in the West Bengal Land Reforms (Bargadars) Rules, 1956, published with this Department Notification No. 9796-L.Ref., dated the 1st June 1956, in the "Calcutta Gazette, Extraordinary", dated the 2nd June 1956, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendment

In rule 11 of the said rules, for the words "rupee one and paise fifty", substitute the words "rupee one and paise eighty".

By order of the Governor,
S. MULLICK,
Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Parliamentary Affairs

NOTIFICATION

No. 205-P.A.—26th August 1974.—The following notification by the Secretary to the Governor of West Bengal is hereby published for general information :

"NOTIFICATION

No. 3320-S.—23rd August 1974.—The President has assented to the Industrial Disputes (West Bengal Amendment) Bill, 1974.

P. K. SARKAR,
Secretary to the Governor, West Bengal."

By order of the Governor,
S. DATTA,
Dy. Secy. to the Govt. of West Bengal.

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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 2026-L.—26th August 1974.—The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information:—

West Bengal Act XXXVII of 1974

THE INDUSTRIAL DISPUTES (WEST BENGAL AMENDMENT) ACT, 1974.

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary,* of the 26th August, 1974.]

An Act to amend the Industrial Disputes Act, 1947, in its application to West Bengal.

WHEREAS it is expedient to amend the Industrial Disputes Act, 1947, in its application to West Bengal, for the purpose and in the manner hereinafter appearing; 14 of 1947.

It is hereby enacted in the Twenty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title.

1. This Act may be called the Industrial Disputes (West Bengal Amendment) Act, 1974.

Application of the Act.

2. The Industrial Disputes Act, 1947 (hereinafter referred to as the said Act), shall, in its application to West Bengal, be amended in the manner hereinafter provided.

Amendment of section 2 of Act 14 of 1947.

3. In the *Explanation* to clause (*kkk*) of section 2 of the said Act, for the words beginning with "Every workman" and ending with "so presenting himself", the following shall be substituted, namely:—

"No workman whose name is borne on the muster rolls of the industrial establishment and who presents himself for work at the establishment at the time appointed for the purpose during normal working hours on any day and is given employment by the employer can be laid-off for that day but if any such workman is not given employment by the employer within two hours of his so presenting himself, he".

By order of the Governor,

K. K. MOITRA,

Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

IRRIGATION AND WATERWAYS DEPARTMENT

NOTIFICATION

No. 13-I.—23rd August 1974.—Whereas the Governor is of opinion that lands in the area included within the boundaries specified in Part II of the schedule below (hereinafter referred to as the said area) have been benefited or are likely to be benefited by irrigation during the kharif season by the water supplied from the irrigation work namely, the Midnapore Canal in the district of Midnapore, the full description whereof is stated in Part I of the schedule below;

And whereas an Ordinance, namely, the West Bengal Irrigation (Imposition of Water Rate) Ordinance, 1974 (West Ben. Ord. No. VII of 1974) (hereinafter referred to as the said Ordinance) providing for a simplified procedure for imposition, assessment and collection of water rates in respect of land benefited or likely to be benefited by irrigation during different cultivation seasons by water supplied from any irrigation work has since been promulgated by the Governor;

Now, therefore, in exercise of the power conferred by section 4 read with sub-section (1) of section 5 of the said Ordinance, and in supersession of all orders made under the Bengal Irrigation Act, 1876 (Ben. Act III of 1876), determining the rates to be charged for canal water supplied for purposes of irrigation of any land in the said area, the Governor is pleased hereby to declare its intention to impose with effect from 1st day of July 1974 in the said area a water rate for kharif season every year.

Any person interested in any land likely to be affected by such imposition of the water rate may, within a period of thirty days from the date of publication of this notification in the "Calcutta Gazette", prefer objection to the State Government against the intended imposition of the water rate or inclusion of such land in the said area.

THE SCHEDULE

PART I : Description of the Irrigation work

The canal system consists of:

The Midnapore Main Canal of length 58.78 km. which starts from Midnapore Anicut on the Cossye River in mauza Mohanpur, jurisdiction list No. 214, in police-station Kharagpur, in the district of Midnapore, on the south bank of Cossye River and meets with River Rupnarayan on the west bank in mauza Amalharah, jurisdiction list No. 291, police-station Panskura in the district of Midnapore with all its Distributaries, Minors and Water courses.

(i) No. 1 Main (Narayangarh) Canal of length 26.67 km. which starts from the Midnapur Main Canal on the south bank in mauza Krishnanagar, jurisdiction list No. 220 of police-station Kharagpur in the district of Midnapore and ends in mauza Bagabhera, jurisdiction list No. 266, in police-station Narayangarh in the district of Midnapore, with all its Branches, Minors and Water courses.

(ii) No. 2 Main (Kanchdiha) Canal of length 2.88 km. which starts from the Midnapore Main Canal on the north bank in mauza Kanchdiha, jurisdiction list No. 221 of police-station Kharagpur in the district of Midnapore and ends in mauza Samudrapur, jurisdiction list No. 373 of police-station Kharagpur in the district of Midnapore.

(iia) No. 2A Main (Mukshedpur) Canal of length 11.06 km. which starts from the Midnapore Main

Canal on the north bank in mauza Lachmapur, jurisdiction list No. 372 of police-station Kharagpur in the district of Midnapur and ends in mauza Mahespur, jurisdiction list No. 477 of police-station Kharagpur in the district of Midnapore with all its Branches, Minors and Water courses.

(iii) No. 1S (Kanchantola) Canal of length 5.86 km. which starts from the Midnapore Main Canal on the south bank in mauza Lachmapur, jurisdiction list No. 372 of police-station Kharagpur in the district of Midnapur and ends in mauza Durgapur, jurisdiction list No. 466 of police-station Kharagpur in the district of Midnapur with all its Minors.

(iv) No. 3 (Noada) Main Canal of length 26.61 km. which starts from the Midnapur Main Canal on the north bank in mauza Barbasantapur, jurisdiction list No. 539 of police-station Kharagpur in the district of Midnapur and ends in mauza Mankhanda, jurisdiction list No. 137 of police-station Debra in the district of Midnapore with all its Branches, Minors and Water courses.

(v) No. 4 (Antra) Main Canal of length 28.00 km. which starts from the Midnapur Main Canal on the south bank in mauza Barbasantapur, jurisdiction list No. 539 of police-station Kharagpur in the district of Midnapur and ends in mauza Jalchak, jurisdiction list No. 236 of police-station Pingla in the district of Midnapur with all its Branches, Minors and Water courses.

(vi) No. 3S (Burumulla) Canal of length 2.99 km. which starts from the Midnapore Main Canal on the north bank in mauza Kadamgora, jurisdiction list No. 533 of police-station Kharagpur in the district of Midnapore and ends in mauza Bar Karamji, jurisdiction list No. 524, of police-station Kharagpur in the district of Midnapore with all its Branches, Minors and Water courses.

(vii) No. 4S (Kadamgiri) Canal of length 2.99 km. which starts from Midnapur Main Canal on the south bank in mauza Kadamgera, jurisdiction list No. 533 of police-station Kharagpur in the district of Midnapore and ends in mauza Rampurchak, jurisdiction list No. 371 of police-station Debra in the district of Midnapur with all its Minors and Water courses.

(viii) No. 5 (Kontai) Main Canal of length 2.19 km. which starts from the Midnapore Main Canal on the north bank in mauza Kontai, jurisdiction list No. 354 of police-station Debra in the district of Midnapur and ends in mauza Baichuri, jurisdiction list No. 343 of police-station Debra in the district of Midnapur with all its Branches, Minor and Water courses.

(ix) No. 6 (Moynachur) Main Canal of length 20 km. which starts from the Midnapur Main Canal on the south bank in mauza Kontai, jurisdiction list No. 354 of police-station Debra in the district of Midnapore and ends in mauza Ragpur, jurisdiction list No. 203 of police-station Pingla in the district of Midnapur with all its Branches, Minors and Water courses.

(x) No. 5S (Daluchak) Canal of length 4.80 km. which starts from the Midnapur Main Canal on the north bank in mouza Kanuram, jurisdiction list No. 441 of police-station Debra in the district of Midnapur and ends in mouza Dalapatipur, jurisdiction list No. 244 of police-station Debra in the district of Midnapur with all its Branches, Minors and Water courses.

(xi) No. 6S (Balichak) Canal of length 11.20 km. which starts from the Midnapur Main Canal on the south bank in mouza Raghunathpur, jurisdiction list No. 362 of police-station Debra in the district of Midnapur and ends in mouza Harusankarpur, jurisdiction list No. 162 of police-station Panskura in the district of Midnapur with all its Branches, Minors and Water courses.

(xii) No. 7 (Barmahamadpur) Canal of length 5.10 km. which starts from the Midnapur Main Canal on the north bank in mouza Barmahamadpur, jurisdiction list No. 456 of police-station Debra in the district of Midnapur and ends in mouza Bhagabanbasan, jurisdiction list No. 200 of police-station Debra in the district of Midnapur with all its Branches, Minors and Water courses.

(xiii) No. 8 (Goalageria) Canal of length 4.56 km. which starts from the Midnapur Main Canal on the south bank in mouza Goalageria, jurisdiction list No. 455 of police-station Debra in the district of Midnapur and ends in mouza Hijalda, jurisdiction list No. 466 of police-station Debra in the district of Midnapur.

(xiv) No. 11 (Arangabad) Canal of length 2.80 km. which starts from Midnapur Main Canal on the north bank in mouza Rajhati, jurisdiction list No. 136 of police-station Panskura in the district of Midnapur and ends in mouza Pratapchak Krishnanagar, jurisdiction list No. 137 of police-station Panskura in the district of Midnapur.

(xv) No. 12 (Purul) Canal of length 5.10 km. which starts from Midnapur Main Canal on the south bank in mouza Rajhati, jurisdiction list No. 136 of police-station Debra in the district of Midnapur and ends in mouza Amdan, jurisdiction list No. 158 of police-station Panskura in the district of Midnapur with all its Branches, Minors and Water courses.

(xvi) No. 13A (Jaikrishnapur) Canal of length 1.6 km. which starts from the Midnapur Main Canal on the north bank in mauza Jaikrishnapur, jurisdiction list No. 97 of police-station Panskura in the district of Midnapur and ends also in mauza Jaikrishnapur, jurisdiction list No. 97 of police-station Panskura in the district of Midnapur.

(xvii) No. 13 (Katlataki) Canal of length 2 km. which starts from Midnapore Main Canal on the south bank in Mauza Uttar Kotal, jurisdiction list No. 96 of Panskura in the district of Midnapur and ends in mauza Dakshin Katal, jurisdiction list No. 95 of police-station Panskura in the district of Midnapore.

(xviii) Distributory No. 1 Main of length 6 km. which starts from Midnapur Main Canal Reach VI on the northern bank in mauza Naranda, jurisdiction list No. 83 of police-station Panskura in the district of Midnapur and ends in mauza Dakhin Moynadal, jurisdiction list No. 52 of police-station Pansukra in the district Midnapore with all its Branches, Minors and Water courses.

(xix) Distributory No. 2 Main of length 17.60 km. which starts from Midnapore Main Canal Reach VI

on the southern bank in mauza Naranda, jurisdiction list No. 83 of police-station Panskura in the district of Midnapur and ends in mauza Joyramchak, jurisdiction list No. 357 of police-station Panskura in the district Midnapore with all its Branches, Minors and Water courses.

(xx) Distributory No. 3 Main of length 2.80 km. which starts from Midnapore Main Canal Reach VI on the southern bank in mauza Narainpakura, jurisdiction list No. 217 of police-station Panskura in the district of Midnapore and ends in mauza Murail, jurisdiction list No. 216 of police-station Panskura in the district of Midnapur with all its Branches, Minors and Water courses.

(xxi) Distributory No. 4 Main of length 3.20 km. which starts from Midnapur Main Canal Reach VI on the southern bank in mauza Chandpur, jurisdiction list No. 232 of police-station Panskura in the district of Midnapur and ends in mauza Jhakurkul, jurisdiction list No. 312 of police-station Panskura in the district of Midnapur with all its Branches, Minors and Water courses.

(xxii) Distributory No. 5 Main of length 1.25 km. which starts from Midnapur Main Canal Reach VI on the northern bank in mauza Bardanunkar, jurisdiction list No. 308 of police-station Panskura in the district of Midnapur and ends in mauza Dakshin-Sagarbar, jurisdiction list No. 307 of police-station Panskura in the district Midnapur with all its Branches, Minors and Water courses.

(xxiii) Distributory No. 6 Main of length 2.72 km. which starts from Midnapur Main Canal Reach VI on the southern bank in mauza Amalhanda, jurisdiction list No. 291 of police-station Panskura in the district of Midnapur and ends in mauza Kakdiha, jurisdiction list No. 5 of police-station Tamluk in the district of Midnapur with all its Branches, Minors and Water courses.

PART II : Boundaries of the area

(A) The area is bounded on the west by the mauzas Mohanpur, jurisdiction list No. 214, in police-station Kharagpur, on the north by Midnapore High Level Canal in mauzas Jinsar, jurisdiction list No. 215, Balihati, jurisdiction list No. 216, Uttar Simla, jurisdiction list No. 217, on the east by mauzas Pat Pacha, jurisdiction list No. 218, Jakpur, jurisdiction list No. 224, on the south by mauza Chak Ganesh, jurisdiction list No. 225, Rupnarayanpur, jurisdiction list No. 212, Sobanipur, jurisdiction list No. 213 in police-station Kharagpur.

(B) Another area is bounded by mauzas—On the West Krishnagar, jurisdiction list No. 220, Kukradha, jurisdiction list No. 219, on the north bounded by south bank of Cossye River, Kaliara, jurisdiction list No. 462, south bank of Cossye River, on the east Rajpura, jurisdiction list No. 479, Manik Khola, jurisdiction list No. 485 in police-station Kharagpur, on the north Kismat Rajpura, jurisdiction list No. 483 in police-station Kharagpur, Amodpur, jurisdiction list No. 322 in police-station Debra, Serpur, jurisdiction list No. 318, south bank of Cossye River in police-station Debra, on the west bank of Cossye River in police-station Debra, on the north Chak Ashraf, jurisdiction list No. 271, Ajukhatjarpal, jurisdiction list No. 270, Itai, jurisdiction list No. 275, Abdalipur, jurisdiction list No. 264, Satyapur, jurisdiction list No. 260, Garkilla, jurisdiction list No. 228, Paikpari, jurisdiction list No. 261, south bank of Cossye River in police-station Debra, on the east Balarampur, jurisdiction list No. 145, Kamkra Sibram, jurisdiction list No. 153, Kankra-Haraprosad, jurisdiction list No. 152, Kankra-Atmaram, jurisdiction list No. 154, Dwarkhola, jurisdiction list No. 178, Chak Bajit, jurisdiction list No. 180, Gopalgera, jurisdiction list No. 183, Jot Narayan, jurisdiction list No. 182, Rasulpur, jurisdiction list No. 188, Bishnupur, jurisdiction list No. 192, on the North Chak Basu, jurisdiction list No. 193, Ashribandh, jurisdiction list No. 171 on the east Mandaleswar, jurisdiction list No. 169, Kantapal Pratapchak, jurisdiction list No. 168, Sitalanandapur, jurisdiction list No. 167, in police-station Debra, on the North Krishnanagar, jurisdiction list No. 137 in police-station Panskura, on the West Kanduara, jurisdiction list No. 136, on the North Medinipur Ratulia, jurisdiction list No. 126, on the East Lalchak, jurisdiction list No. 125, Gotpota, jurisdiction list No. 94, west bank of Kherai River, Markandapur, jurisdiction list No. 167, on the South Amdan, jurisdiction list No. 158, Paramanandapur, jurisdiction list No. 156, Pulsita, jurisdiction list No. 151, Saranbar, jurisdiction list No. 149, on the East Kalidan, jurisdiction list No. 153 in police-station Panskura, Gobardhanpur, jurisdiction list No. 204, Sitibinda, jurisdiction list No. 202, Ragpur, jurisdiction list No. 203, on the south north bank of Panchtubi Khal, on the east of Panchtubi, jurisdiction list No. 67, Uttar Kalapunja, jurisdiction list No. 69, Dakshin Kalapunja, jurisdiction list No. 68, on the South Muksudpur, jurisdiction list No. 198, Kalika Kundu, jurisdiction list No. 77, on the East Bhusalya, jurisdiction list No. 78 in police-station Pingla, Chak Damusen, jurisdiction list No. 189, in police-station Sabong, on the South Karkai, jurisdiction list No. 138, Tentulmuri, jurisdiction list No. 128, Surja, jurisdiction list No. 126, Dewanbar, jurisdiction list No. 102, Dhaneswarpur Jamua, jurisdiction list No. 100, on the East Dhaneswarpur Jamua, jurisdiction list No. 100 and Dhaneswarpur Batitaki, jurisdiction list No. 98, Dhaneswarpur Paikan Uttarbar, jurisdiction list No. 103, on the South Chak-Bhatbar, jurisdiction list No. 113, Basudebpur, jurisdiction list No. 112, Simulia, jurisdiction list No. 110, Gobinda Chak, jurisdiction list No. 114, Chahat, jurisdiction list No. 109 in police-station Pingla, Maninathpur, jurisdiction list No. 491, Sajuna Batitaki, jurisdiction list No. 490, Saguna, jurisdiction list No. 489, on the East Larma Batitaki, jurisdiction list No. 488, Larma, jurisdiction list No. 498, Barasatisan, jurisdiction list No. 499, Ambisan, jurisdiction list No. 500, on the South Sargerva, jurisdiction list No. 503, Kandra Chak, jurisdiction list No. 504, Chak Mahanandi Batitaki, jurisdiction list No. 507, Kontai Jimagerva, jurisdiction list No. 508, Mahammadpur, jurisdiction list No. 528, Chak Arjuni, jurisdiction list No. 512, on the East Pakurseni, jurisdiction list No. 525, on the South Kantagerva jurisdiction list No. 460, Brahmanibhera, jurisdiction list No. 461, Iman Patna, jurisdiction list No. 465, on the West Deulya Chak, jurisdiction list No. 264, Siyara, jurisdiction list No. 464, Hira Pari, jurisdiction list No. 465, Kayemkha, jurisdiction list No. 466, Thatra, jurisdiction list No. 261, Tangagerva, jurisdiction list No. 259, Guri Batitaki, jurisdiction list No. 257, Jatirampur, jurisdiction list No. 248, Gopalbar Batitaki,

jurisdiction list No. 473, Ranihati, jurisdiction list No. 244, in police-station Jamvangarh, Tentulmuri, jurisdiction list No. 347, Banspukhuria, jurisdiction list No. 349, Sanmaninathpur, jurisdiction list No. 350, Amsarpur, jurisdiction list No. 399, Chak Turia, jurisdiction list No. 354, Katagerya, jurisdiction list No. 396, Talasibrampur, jurisdiction list No. 358, Gopinathpur jurisdiction list No. 359, Jothia, jurisdiction list No. 361, Khatranga, jurisdiction list No. 362, Goalara, jurisdiction list No. 301, Dubgohal, jurisdiction list No. 366, Kantagerya, jurisdiction list No. 223, Jakpur, jurisdicton list No. 224, in police-station Khargpur.

(C) Another area is bounded by mouzas—On the West Dakshin Gopalpur, jurisdiction list No. 84, Janabar, jurisdiction list No. 65, Uttar Palsa, jurisdiction list No. 64, Lashkardighi, jurisdiction list No. 63, Baju, jurisdiction list No. 62, on the North Dalpara, jurisdiction list No. 55, Uttar Gopalpur, jurisdiction list No. 56, Gopimohanpur, jurisdiction list No. 53, south bank of Topa Khal, Kesapat, jurisdiction list No. 50, Kantabanisasan, jurisdiction list No. 49, Krishnanagar, jurisdiction list No. 48, Paramanandapur, jurisdiction list No. 243, Kayadang, jurisdiction list No. 225, Nankar Bankadangri, jurisdiction list No. 242, Chapda, jurisdiction list No. 241, Gobordhanpur, jurisdiction list No. 240, Amirchak, jurisdiction list No. 237, Kunarhati, jurisdiction list No. 296, Pyarit, jurisdiction list No. 299, Mihitikri, jurisdiction list No. 300, Kharisa, jurisdiction list No. 294, Barisa, jurisdiction list No. 289, Babua, jurisdiction list No. 290 in police-station Panskura, on the east, west bank of river Rupanrayan, on the South Kharui, jurisdiction list No. 24, Gathra, jurisdiction list No. 25, Bansda, jurisdiction list No. 22, Sahara, jurisdiction list No. 21, Akandi, jurisdiction list No. 8, Hakla, jurisdiction list No. 2 in police-station Tamluk, Bagicha Kumarchak, jurisdiction list No. 316, Bangalpur, jurisdiction list No. 317, Kisorchak, jurisdiction list No. 219, on the East Namalbar, jurisdiction list No. 218, Raghubirchak, jurisdiction list No. 214, Kamina, jurisdiction list No. 213, Chakdaha, jurisdiction list No. 323, Ukharapara, jurisdiction list No. 322, Baharpota, jurisdiction list No. 319, in police-station Panskura, Sadichak, jurisdiction list No. 53, Lohanda, jurisdiction list No. 54 in police-station Tamluk, on the South Gogras Kot Taluk, jurisdiction list No. 329, Beraberia, jurisdicion list No. 330, Raghumathbari, jurisdiction list No. 333, Fakirganja, jurisdiction list No. 332, Chandipur, jurisdiction list No. 347, Chaugere, jurisdiction list No. 349, Purushottampur, jurisdiction list No. 331, Baidibar, jurisdiction list No. 354, Saduapota, jurisdiction list No. 361, on the west, east bank of River Cossye, Garpurusottampur, jurisdiction list No. 201, east bank of River Cossye, Paschim Kalya, jurisdiction list No. 88, Tilandapur, jurisdiction list No. 85, in police-station Panskura in the district of Midnapore.

By order of the Governor,

S. K. MOITRA,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

JALPAIGURI.—No. 17401-L. A. (P. W.)/2R-192/73.—24th August 1974.—Whereas 11·6629 hectares (28·82 acres), more or less, of land situated in or near the villages of Jorepani and Balasundar described below, have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for transport and communication, namely, for the construction of Dhupguri-Falakata Other District Road (7th to 8th mile) in the district of Jalpaiguri;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Deputy Commissioner, Jalpaiguri.

Description of the land

Mouza Jorepani, jurisdiction list No. 107, Sheet No. 1, police-station Dhupguri, district Jalpaiguri

Cadastral survey plots in full—98, 174, 175, 176, 178, 185, 186, 187, 188, 189, 190, 191, 218, 220, 221, 222, 223, 232, 233, 242, 256, 257, 259, 262, 263, 264, 271, 273, 274, 275, 287, 293, 294, 178/697, 219.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
50	Western	·01	·0040
59	Northern	·21	·0850
70	Southern	·36	·1457
97	Southern	·092	·3723
99	Southern	·40	·1619
100	Southern	·07	·0283
101	South-western ..	·02	·0081
102	South-western ..	·01	·0040
103	Southern	·02	·0081
104	Southern	·02	·0081
105	South-western ..	·01	·0040
119	Eastern	·28	·1133
120	North-eastern ..	·01	·0040
152	North-western ..	·02	·0081
158	Southern	·40	·1619
159	South-western ..	·04	·0162
172	South-western ..	·04	·0162
173	Southern	·28	·1133
179	Southern	·08	·0324
213	Southern	·02	·0081
214	Western	·05	·0122
215	Eastern	·07	·0284
216	Eastern	·25	·1012
217	South-western ..	·39	·1578
227	Eastern	·50	·2023
228	East-western ..	·25	·1012
229	Northern	·60	·2428
230	East-western ..	·35	·1416
231	East-northern ..	·20	·0809
234	Northern	·70	·2833
236	North-eastern ..	·01	·0040
237	Eastern	·013	·0526
239	Eastern	·014	·0567
240	Western	·015	·0607
241	Western	·032	·1295

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
243	North-western ..	·032	·1295
244	North-western ..	·07	·0283
245	Eastern	·22	·0890
246	North-eastern ..	·07	·0283
247	North-eastern ..	·17	·0688
248	North	·01	·0040
255	North	·01	·0040
258	North	·10	·0405
260	North	·03	·0121
261	North-eastern ..	·05	·0202
265	Northern	·10	·0405
267	Western	·29	·1174
268	Western	·11	·0445
269	Middle	·52	·2104
270	Middle	·26	·1052
272	Western	·05	·0202
276	Western	·08	·0324
286	Western	·52	·2104
288	Northern	·44	·1781
289	North-western ..	·08	·0324
291	North-western ..	·01	·0040
292	North-western ..	·09	·1364
295	Western	·53	·2145
296	Western	·11	·0445
297	North-western ..	·07	·0283
698	Southern	·12	·0486
718	Northern	·13	·0526
719	Northern	·18	·0728
721	Northern	·22	·0890
724	South-western ..	·44	·1781
725	Southern	·14	·0567
730	Southern	·36	·1457
184	Southern	·09	·0365
192	Southern	·03	·0121

Mouza Balasundar, jurisdiction list No. 77, Sheet No. 1, police-station Dhupguri, district Jalpaiguri.

Cadastral survey plot in full—39, 41, 42, 43, 44, 51, 52 and 53.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
2	Southern	·07	·0284
4	Southern	1·04	·4209
5	Middle	·67	·2712
6	Southern	·03	·0121
7	Middle	·74	·2995
8	Middle	·50	·2023
9	Middle	·60	·2428
10	Middle	·32	·1295
14	Northern	·10	·0405
38	Northern	·18	·0728
40	Southern	·33	·1335
45	Northern	·34	·1376
46	North-western ..	·03	·0121
50	Northern	·04	·0162
54	Northern	·13	·0526
251	North-western ..	·35	·1416
252	Western	·02	·0081
253	North-western ..	·98	·3966
282	South-western ..	·01	·0040
10/665	Middle	·30	·1214
631	Southern	·02	·0081
632	Southern	·01	·0040
634	Southern	·02	·0081

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 17558-L.A. (P.W.)/II-378/74.—26th August 1974.—Whereas 4·00950 hectares (9·90 acres), more or less, of land, situated in or near the village of Madhabchak described below have been requisitioned under sub-section (1) or section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3 (1A) of the Act for the public purpose of providing proper facilities for irrigation and drainage, namely, for re-excavation of Banskhana Khal;

Now, therefore, notice, is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1A) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Midnapore.

Description of the land

Mauza Madhabchak, jurisdiction ist No. 237, police-station Moyna, district Midnapore.

Revisional survey plots in full—703, 704, 705, 706, 707, 708, 709, 711, 712, 716, 717, 718, 722, 723, 727, 702/856, 707/877, 707/878, 709/879, 715/880, 725/881, 723/883, 708/887, 713/888, 703/891, 703/892, 703/893, 703/894, 703/895 and 703/896.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
683	Western	·07	·02835
701	South-western ..	·005	·00203
702	Western	·06	·02430
713	Western	·62	·25110
715	Western	·88	·35640
725	Southern	·36	·14580
726	Southern	·40	·16200
728	Northern	·10	·04050
734	Western	·10	·04050
702/853	Western ..	·005	·00202

By order of the Governor,
S. GHOSH,
Dy. Secy. to the Govt of West Bengal.

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PART IIIA—Ordinances promulgated by the Governor of West Bengal under the Constitution of India

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

WEST BENGAL ORDINANCE No. XI OF 1974

THE WEST BENGAL MINING SETTLEMENTS (HEALTH AND WELFARE (AMENDMENT) ORDINANCE, 1974.

WHEREAS it is expedient to amend the West Bengal Mining Settlements (Health and Welfare) Act, 1964, for the purpose and in the manner hereinafter appearing; West Ben. Act XXV of 1964.

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (*1*) of article 213 of the Constitution of India, to make and promulgate the following Ordinance, namely:—

Short title.

1. This Ordinance may be called the West Bengal Mining Settlements (Health and Welfare) (Amendment) Ordinance, 1974.

Amendment of section 7 of West Ben. Act XXV of 1964.

2. In sub-section (*1*) of section 7 of the West Bengal Mining Settlements (Health and Welfare) Act, 1964,—

(*i*) for clause (*a*), the following clause shall be substituted, namely:—

"(*a*) four members to be nominated by the Coal Mines Authority Limited, 10 Camac Street, Calcutta-700017, of whom one shall be a Colliery Manager;"; and

(*ii*) for clause (*b*), the following clause shall be substituted, namely:—

"(*b*) one member to be nominated by the Bharat Coking Coal Limited, Sijua, Dhanbad;".

ANTHONY L. DIAS,

Governor of West Bengal.

The 24th August, 1974.

K. K. MOITRA,

Secy. to the Govt. of West Bengal.

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The Calcutta Gazette

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Extraordinary

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BHADRA 6] WEDNESDAY, AUGUST 28, 1974 [SAKA 1896

PART I.—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 10357-WT/3M-39/74.—28th August 1974.—In exercise of the powers conferred by sections 21, 21J and 41 of the Motor Vehicles Act, 1939 (Act 4 of 1939), the Governor is pleased to make, after previous publication as required by sub-section (1) of section 133 of the said Act, the following amendments in the Bengal Motor Vehicles Rules, 1940, published with notification No. 1930-Pl, dated 21st September 1940, at pages 2655-2829 of Part I of the "Calcutta Gazette" of the 10th October 1940, as subsequently amended (hereinafter referred to as the said rules), namely:—

Amendments

In the said rules,—

(1) in sub-rule (c) of rule 6, for the words "five rupees," substitute the words "seven rupees and fifty paise".

(2) in sub-rule (g) of rule 10, for the words "ten rupees", substitute the words "fifteen rupees".

(3) in sub-rule (d) of rule 11, for the words "ten rupees", substitute the words "fifteen rupees".

(4) in sub-rule (c) of rule 12, for the words "ten rupees", substitute the words "fifteen rupees".

(5) in sub-rule (b) of rule 15, for the words "five rupees", substitute the words "seven rupees and fifty paise".

(6) in sub-rule (c) of rule 15, for the words "five rupees", substitute the words "seven rupees and fifty paise".

(7) in sub-rule (e) of rule 15, for the words "two rupees", substitute the words "three rupees".

(8) in sub-rule (a) of rule 31, for the words "court fee of ten rupees", substitute the words "court-fee of fifteen rupees".

(9) for sub-rule (h) of rule 36, substitute the following sub-rule, namely:—

"(h) The fee for grant or renewal of a certificate of fitness shall be thirty rupees per annum and shall, in both cases, include the fee for inspection:

Provided that the fee for the renewal of certificate of fitness shall be rupees fifteen where such renewal remains valid for a period of six months only".

(10) for sub-rule (a) of rule 38, substitute the following sub-rule, namely:—

"(a) The fee for registration of a motor vehicle shall be,

(i) in respect of invalid carriage—Ten rupees.

(ii) in respect of a motor cycle—Twenty-five rupees.

(iii) in respect of a light motor vehicle—fifty rupees.

(iv) in respect of a medium motor vehicle—seventy-five rupees.

(v) in respect of a heavy motor vehicle—One hundered and twenty-five rupees.

(vi) in respect of temporary registration of any motor vehicle—fifteen rupees.

(vii) in respect of duplicate certificate of registration—fifteen rupees."

(11) in sub-rule (b) of rule 39, for the words "five rupees", substitute the words "seven rupees and fifty paise".

(12) in the proviso to rule 39A for the words and figures "Rs. 10 only", substitute the words and figures "Rs.15 only".

(13) in rule 46,—

(a) in sub-rule (c)—

(i) for the words "three hundred rupees", substitute the words "four hundred and fifty rupees", and

(ii) for the words "one hundred and fifty rupees", substitute the words "two hundred and twenty-five rupees";

(b) in sub-rule (1) for the words "ten rupees", substitute the words "fifteen rupees".

(14) (i) for sub-rule (c) of rule 96, substitute the following sub-rule, namely:—

"(c) the fee for the issue of a badge as aforesaid shall be three rupees. If the badge is lost or destroyed, a duplicate badge shall be issued by the authority by which it was issued, on payment of three rupees. And upon the return to the issuing authority of a badge or of a duplicate badge, the driver shall be entitled to a refund of three rupees:

Provided that where the actual cost incurred by the State Government for a badge exceeds three rupees, the State Government may direct that such actual cost shall be charged as the fee under this sub-rule";

(ii) for sub-rule (c) of rule 97, substitute the following sub-rule, namely:—

"(c) the fee for the issue of a conductor's badge as aforesaid shall be three rupees. If the badge is lost or destroyed, a duplicate badge shall be issued by the authority which issued it, on payment of three rupees. And upon return to the issuing authority of a badge or a duplicate badge, the conductor shall be entitled to a refund of three rupees:

Provided that where the actual cost incurred by the State Government for a badge exceed three rupees, the State Government may direct that such actual cost shall be charged as the fee under this sub-rule".

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

AGRICULTURE AND COMMUNITY DEVELOPMENT DEPARTMENT (AGRICULTURE)

Education and Training

NOTIFICATION

No. 9631.—26th August 1974.—In exercise of the power conferred by sub-section (3) of section 1 of the Bidhan Chandra Krishi Viswa Vidyalaya Ordinance, 1974 (West Ben. Ord. No. X of 1974), the Governor is pleased hereby to appoint the first day of September, 1974, as the date on which the said Ordinance shall come into force.

By order of the Governor,
A. K. MITRA,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

CHANCELLOR'S SECRETARIAT

NOTIFICATION

No. 825-Edn(U).—27th August 1974.—In exercise of the power conferred by sub-section (1) of section 18 of the North Bengal University Act, 1961 (West Ben. Act XXVII of 1961), the Chancellor of the University of North Bengal is pleased to appoint Prof. Amlankusum Datta, now Pro-Vice-Chancellor for Business Affairs and Finance, Calcutta University, to be the Vice-Chancellor of the University of North Bengal with effect from the date on which he takes over charge.

By order of the Chancellor,
D. K. GUHA,
Secy. to the Chancellor,
North Bengal University.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 10348-WT.—28th August 1974.—The following draft of an amendment which, in exercise of the powers conferred by sub-section (*1*) and, in particular, by clause (*d*) of sub-section (*2*) of section 70 of the Motor Vehicles Act, 1939 (Act 4 of 1939), the Governor proposes to make in the Bengal Motor Vehicles Rules, 1940, published with notification No. 1930-Pl., dated the 21st September 1940, at pages 2655-2829 of Part I of the "Calcutta Gazette" of the 10th October 1940 as subsequently amended (hereinafter referred to as the said rules), is hereby published, as required by sub-section (*1*) of section 133 of the said Act, for the information of the public likely to be affected, thereby.

The draft will be taken into consideration on or after the 4th October 1974, and any objection or suggestion with respect thereto, which may be received by the undersigned before that date, shall be considered.

Draft amendment

In the said rules, *after* rule 164A, *add* the following heading and rule, namely:

"Special rule applicable to tractors. *164B, Driver's seat*—Rule 144 relating to the driver's seat shall apply to a tractor:

Provided that the State Government may by order exempt, subject to such conditions as may be specified in the order, any tractor or class of tractors from the provision of sub-rule (*a*) of rule 144."

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

General Administration

NOTIFICATION

No. 1326-GAC—29th August 1974.—In exercise of the powers conferred by section 3 of the Comissions of Inquiry Act, 1952 (Act 60 of 1952), the Governor is pleased hereby to make the following amendment in this Department Notification No. 982-GAC., dated the 9th July 1974, published in the "Calcutta Gazette, Extraordinary", of the 10th July 1974 (hereinafter referred to as the said notification), namely :

Amendment

In the said Notification, for the words, figures and letters "within sixty days from the date of publication of this notification in the 'Calcutta Gazette'", substitute the words, figures and letters "by the 30th November 1974".

By order of the Governor,

B. MUKHOPADHYAY,

Spl. Secy. to the Govt. of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF CO-OPERATION

NOTIFICATION

No. 3136-Co-op/3P-183/74 - -29th August 1974

Whereas the managing committee of the Hindusthan Cables Employees' Co-operative Multipurpose Society Limited at Asansol, in the district of Burdwan (hereinafter referred to as the said society), has—

(a) failed, since 24th June 1973, the date of the last special general meeting, to hold a general meeting of the said society in flagrant violation of the orders and instructions of the Assistant Registrar of Co-operative Societies, Burdwan-I, in this respect;

(b) failed to keep the offices and shops of the said society functioning normally for a long time making the said society liable for a heavy financial loss;

And whereas on receipt of a report from the Registrar of Co-operative Societies, West Bengal, the Governor is of the opinion that immediate dissolution of the managing committee of the said society is essential in the interest of the said society and the co-operative movement in general, on the following grounds, namely:

(1) that the members of the managing committee of the said society have been

grossly negligent in the performance of their duties imposed on them by the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973); and

(2) that due to persistent default and gross negligence of the members of the managing committee of the said society in perforance of their duties, the affairs of the society have come to a standstill;

Now, therefore, in exercise of the power conferred by the proviso to sub-section (1) of section 26 of the West Bengal Co-operative Societies Act 1973 (West Ben. Act XXXVIII of 1973), the Governor is pleased hereby—

(a) to dissolve the managing committee of the said society, the members of which shall forthwith vacate their offices, and

(b) to appoint the Inspector of Co-operative Societies, Salanpur Block of the Burdwan-I Range, as Administrator to manage the affairs the said society, in addition to his own duties, for one year with effect from the date of this notification.

By order of the Governor,

P. V. SHENOI,

Jt. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Parliamentary Affairs

NOTIFICATION

No. 208-P.A.—30th August 1974.—The following notification by the Secretary to the Governor of West Bengal is hereby published for general information:

"NOTIFICATION

No. 3381-S. — 27th August 1974. — The President has assented to the West Bengal Labour Welfare Fund Bill, 1974.

P. K. SARKAR,

Secretary to the Governor, West Bengal"

By order of the Governor,

K. K. ROY BARMA,

Jt. Secy. to the Govt. of West Bengal.

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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 2074-L.—30th August, 1974.—The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information :—

West Bengal Act XXXVIII of 1974

THE WEST BENGAL LABOUR WELFARE FUND ACT, 1974.

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary,* of the 30th August, 1974.]

An Act to provide for the constitution of a fund for promoting activities connected with the welfare of labour in West Bengal and for matters connected therewith.

WHEREAS it is expedient to constitute a fund for promoting activities connected with the welfare of labour in West Bengal and for matters connected therewith ;

It is hereby enacted in the Twenty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the West Bengal Labour Welfare Fund Act, 1974.

(*2*) It extends to the whole of West Bengal.

(*3*) This section shall come into force at once and the remaining sections shall come into force on such date or dates and in such area or areas as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different sections or for different areas.

Definitions.

2. In this Act, unless the context otherwise requires—

(*1*) "Board" means the West Bengal Labour Welfare Board constituted under section 4 ;

(*2*) "contribution" means the sum of money payable to the Board in accordance with the provisions of section 9 ;

The West Bengal Labour Welfare Fund Act, 1974.

(*Section* 2.)

(*3*) "employee" means any person who is employed for hire or reward to do any work, skilled or unskilled, manual, clerical, supervisory or technical, in an establishment but does not include any person—

(*a*) who is employed mainly in a managerial capacity, or

(*b*) who, being employed in supervisory capacity, draws wages exceeding seven hundred and fifty rupees *per mensem* or exercises, either by the nature of duties attached to the office, or by reason of the powers vested in him, functions mainly of a managerial nature;

(*4*) "employer" means any person who employs either directly or through another person either on behalf of himself or any other person, one or more employees in an establishment and includes—

(*i*) in a factory, any person named under clause (*f*) of sub-section (*1*) of section 7 of the Factories Act, 1948, as the manager, 63 of 1948.

(*ii*) in any establishment, any person responsible to the owner for the supervision and control of the employees or for the payment of wages;

(*5*) "establishment" includes—

(*i*) a factory,

(*ii*) a tramway or motor transport undertaking, and

(*iii*) any commercial establishment within the meaning of clause (*2*) of section 2 of the West Bengal Shops and Establishments Act, 1963, which employs, or on any working day during the preceding twelve months, employed ten or more persons: West Ben. Act XIII of 1963.

Provided that any such commercial establishment shall continue to be an establishment for the purposes of this Act notwithstanding that there was a reduction in the number of persons to less than ten at any subsequent time:

Provided further that where for a continuous period of not less than three months the number of persons employed therein has been less than ten, such commercial establishment shall cease to be an establishment for the purposes of this Act with effect from the beginning of the month following the expiry of the said period of three months, but the employer shall, within one month from the date of such cessation, intimate by registered post the fact thereof to such authority as the State Government may specify in this behalf,

(*iv*) any other class of establishments which the State Government may, after giving three months' notice of its intention of so doing, specify by notification in the *Official Gazette;*

(*6*) "factory" means a factory as defined in clause (*m*) of section 2 of the Factories Act, 1948;

(*7*) "fund" means the Labour Welfare Fund constituted under section 3;

(*8*) "independent member" means a member of the Board who is not connected with the management of any establishment or who is not an employee, and includes an officer of Government nominated as a member;

(*9*) "Inspector" means an Inspector appointed under section 16;

(*10*) "motor transport undertaking" means a motor transport undertaking engaged in carrying passengers or goods or both by road for hire or reward, and includes a private carrier;

The West Bengal Labour Welfare Fund Act, 1974.

(*Sections 3, 4.*)

(*11*) "prescribed" means prescribed by rules made under this Act;

(*12*) "unpaid accumulation" means all sums due to the employees but not actually paid to them within a period of three years from the date on which they became due whether before or after the commencement of this Act including the wages, bonus and gratuity but not including the amount of contribution, if any, paid by an employer to a provident fund established under the Employees' Provident Funds Act, 1952; 19 of 1952.

(*13*) "wages" means wages as defined in clause (*vi*) of section 2 of the Payment of Wages Act, 1936, and includes bonus payable under the Payment of Bonus Act, 1965; 4 of 1936. 21 of 1965.

(*14*) "Welfare Commissioner" means the Welfare Commissioner appointed under section 15;

(*15*) "welfare of labour" includes activities mentioned in sub-section (*2*) of section 11.

Labour Welfare Fund.

3. (*1*) The State Government shall constitute a fund to be called the Labour Welfare Fund.

(*2*) The fund shall consist of—

(*a*) all unpaid accumulations paid to the Board at such intervals and in such manner as may be prescribed;

(*b*) all fines realised from the employees;

(*c*) all fines imposed on employers by courts for contravention of the provisions of—

(*i*) the Industrial Disputes Act, 1947, 14 of 1947.

(*ii*) the Factories Act, 1948, 63 of 1948.

(*iii*) the Minimum Wages Act, 1948, 11 of 1948.

(*iv*) the Payment of Wages Act, 1936, 4 of 1936.

(*v*) the Industrial Employment (Standing Orders) Act, 1946, 20 of 1946.

(*vi*) the West Bengal Shops and Establishments Act, 1963; West Ben. Act XIII of 1963.

(*d*) any contribution paid under section 9;

(*e*) any penal interest paid under section 10;

(*f*) any voluntary donations;

(*g*) any fund transferred under sub-section (*5*) of section 11;

(*h*) any loan, grant-in-aid or subsidy paid by the Central or State Government or any local authority;

(*i*) any sum borrowed under section 12.

(*3*) The sums specified in sub-section (*2*) shall be paid or collected by such agencies, at such intervals and in such manner as may be prescribed.

(*4*) The accounts of the fund shall be maintained and audited in such manner as may be prescribed.

Board.

4. (*1*) The State Government shall, by notification in the *Official Gazette*, constitute for the State of West Bengal a Board to be called the West Bengal Labour Welfare Board which shall consist of not more than twenty members appointed by the State Government from amongst employers, employees and independent persons including women.

(*2*) The members of the Board shall elect one amongst them as the Chairman of the Board.

The West Bengal Labour Welfare Fund Act, 1974.

(*Sections 5—8.*)

(*3*) Save as otherwise expressly provided by this Act, the term of office of the members of the Board shall be three years commencing on the date on which their names are notified in the *Official Gazette*.

(*4*) The allowances, if any, payable to the members of the Board shall be such as may be prescribed.

(*5*) The Board shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

(*6*) The Board shall conduct its business in such manner as may be prescribed.

Disqualifications and removal.

5. (*1*) No person shall be chosen as, or continue to be, a member of the Board who—

(*a*) is a salaried official of the Board; or

(*b*) is or at any time has been adjudged insolvent; or

(*c*) is found to be a lunatic or becomes of unsound mind; or

(*d*) is or has been convicted of any offence involving moral turpitude; or

(*e*) is an employer or the representative of an employer, if the employer is a defaulter in paying contribution under the Employees' Provident Funds and Family Pension Fund Act, 1952, or under the Employees' State Insurance Act, 1948. 19 of 1952. 38 of 1948.

(*2*) The State Government may remove from office any member who—

(*a*) is or has become subject to any of the disqualifications mentioned in sub-section (*1*); or

(*b*) is absent without leave of the Board from three consecutive meetings of the Board.

Resignation of office by members and filling up casual vacancies.

6. (*1*) A member may resign his office by giving notice, in writing, to the State Government, and on such resignation being accepted he shall be deemed to have vacated his office.

(*2*) A casual vacancy in the office of a member shall be filled up, as soon as possible, by the State Government and a member so appointed shall hold office for the unexpired portion of the term of office of the member whose place he fills.

(*3*) No act or proceeding of the Board shall be invalid on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Board.

Power to appoint Committees.

7. For the purpose of advising the Board in the discharge of its functions and also for carrying into effect any of the matters specified in sub-section (*2*) of section 11, the Board may constitute one or more Committees, of which at least one member shall be a member of the Board.

Unpaid accumulations and claims thereto.

8. (*1*) Any unpaid accumulation paid to the Board shall, on such payment, discharge an employer of his liability to make payment to an employee in respect thereof and the liability to make payment to the employee to the extent aforesaid shall, subject to the succeeding provisions of this section, be deemed to be transferred to the Board.

(*2*) As soon as possible after the payment of any unpaid accumulation is made to the Board, the Board shall by notice (containing such particulars as may be prescribed) exhibited on the notice-board of the factory or establishment in which the unpaid accumulation was earned and also published in any two newspapers circulating, and in the language commonly understood, in the area in which the factory or establishment in which the unpaid accumulation was earned is situated, or in such other manner as may be prescribed, regard being had to the amount of the claim, invite claims by employees for any payment due to them. The notice shall be

The West Bengal Labour Welfare Fund Act, 1974.

(Section 9.)

inserted in the manner aforesaid in June and December of every year, for a period of three years from the date of the payment of the unpaid accumulation to the Board.

(*3*) If any question arises whether the notice referred to in sub-section (*2*) was given, as required by that sub-section, a certificate of the Board that it was so given shall be conclusive.

(*4*) If a claim is received whether in answer to the notice or otherwise, within a period of four years from the date of first publication of the notice in respect of such claim, the Board shall transfer such claim to the authority appointed under section 15 of the Payment of Wages Act, 1936, having jurisdiction in the area in which the factory or establishment is situated, and the authority shall proceed to adjudicate upon, and decide, such claim. In hearing such claim, the authority shall have the same powers and shall follow the same procedure as far as they are applicable, as are conferred by and laid down in the Payment of Wages Act, 1936. 4 of 1936.

(*5*) If the authority aforesaid is satisfied that any such claim or a portion of it is valid so that the right to receive payment is established, it shall order the Board to pay the amount found due and the Board shall make payment accordingly:

Provided that the Board shall not be liable to pay any sum in excess of that paid under clause (*a*) of sub-section (*2*) of section 3 to the Board as unpaid accumulations.

(*6*) If a claim for payment is refused, the employee shall have a right of appeal in Calcutta to the City Civil Court and elsewhere to the District Judge and the Board shall comply with any order made in appeal. An appeal shall lie within sixty days of the decision of the authority.

(*7*) The decision of the authority subject to the appeal aforesaid and the decision in appeal of the City Civil Court, or, as the case may be, of the District Judge shall be final and conclusive as to the right to receive payment, the liability of the Board to pay and also as to the amount, if any.

(*8*) If no claim is made within the time specified in sub-secetion (*4*), or a claim has been refused as aforesaid by the authority or in appeal by the City Civil Court or the District Judge, as the case may be, then the unpaid accumulation in respect of such claim shall vest in the State and shall stand transferred to and form part of the fund.

Contributions.

9. (*1*) The contribution payable under this Act shall comprise contribution payable by an employer (hereinafter referred to as "the employer's contribution"), contribution payable by an employee (hereinafter referred to as "the employee's contribution") and the contribution payable by the State Government, and shall be paid to the Board and form part of the fund.

(*2*) The amount of contribution payable by an employer for each such employee whose name stands on the register of an establishment on the 30th June and the 31st December, be 50 paise only and the contribution payable by each such employee shall be 50 paise payable every six months.

(*3*) Every employer shall pay to the Board both the employer's contribution of 50 paise and the employee's contribution of 50 paise before the 15th day of July and 15th day of January of every year.

(*4*) Notwithstanding anything contained in any other law but subject to the provisions of this Act and the rules made thereunder, the employer shall be entitled to recover from each employee the employee's contribution by deduction from his wages and such deduction shall be deemed to be a deduction authorised by or under the Payment of Wages Act, 1936:

Provided that no such deduction shall be made from the wages of an employee other than the wages for the months of June and December of every year:

Provided further that if through inadvertence or otherwise no deduction is made from the wages of an employee for the months aforesaid, such deduction may be made for any subsequent month or months with the permission in writing of the Inspector.

The West Bengal Labour Welfare Fund Act, 1974.

(*Sections 10, 11.*)

(*5*) Notwithstanding any contract to the contrary no employer shall deduct the employer's contribution from the wages payable to an employee or otherwise recover it from such employee.

(*6*) An employer shall pay the employer's and employee's contribution to the Board by cheque or money order or in cash and shall bear the expenses of remitting to the Board such contributions.

(*7*) The Welfare Commissioner shall submit to the State Government as soon as possible after the end of July and January every year in the prescribed form a statement showing the total amount of the employer's contribution in respect of each establishment. On receipt of the statement from the Welfare Commissioner, the State Government shall pay to the Board a contribution of an amount equal to the employer's contribution in respect of that establishment.

Interest on unpaid accumulations or fines or contributions after notice of demand.

10. (*1*) If an employer does not pay to the Board any amount of unpaid accumulation or fine realised from an employee or the amount of employer's or employee's contributions under section 9, within the due time the Welfare Commissioner may cause to be served a notice on such employer to pay the amount within such time as may be mentioned in the notice.

(*2*) If the employer fails without sufficient cause to pay such amount within the period specified in the notice, he shall, in addition to that amount, pay to the Board simple interest—

(*a*) for the first three months at one *per cent.* of the said amount for each complete month after the last date by which he should have paid it according to the notice, and

(*b*) at one and half *per cent.* of that amount for each complete month thereafter:

Provided that the Welfare Commissioner may, subject to such conditions as may be prescribed, remit the whole or any part of penalty in respect of any period.

Vesting and application of fund.

11. (*1*) The fund shall vest in the Board as Trustees and shall be applied for promoting any of the activities connected with the welfare of labour referred to in sub-section (*2*).

(*2*) Without prejudice to the generality of powers in this behalf the fund may be applied by the Board in connection with the following activities, namely:—

(*a*) community and social education centres including reading rooms and libraries,

(*b*) games and sports,

(*c*) excursions, tours and holiday homes,

(*d*) entertainment and other forms of recreations,

(*e*) home industries and subsidiary occupations for women and unemployed persons,

(*f*) corporate activities of social nature,

(*g*) cost of administering the Act including the salaries and allowances of the staff appointed for the purposes of this Act, and

(*h*) such other objects as would in the opinion of the State Government improve the standard of living ameliorate the social conditions of labour:

Provided that the fund shall not be applied in financing any activity which the employer is required under any law for the time being in force to carry out.

(*3*) The Board may, with the approval of the State Government, make a grant out of the fund to any employer, any local authority or any other body in aid of any activity for welfare of labour.

The West Bengal Labour Welfare Fund Act, 1974.

(Sections 12—17.)

(*4*) If any question arises whether any particular expenditure is or is not debitable to the fund, the matter shall be referred to the State Government and the decision of the State Government thereon shall be final.

(*5*) It shall be lawful for the Board to continue any activity financed from the labour welfare fund of any establishment, if the said fund is duly transferred to the Board.

Power of Board to borrow.

12. The Board may from time to time with the previous sanction of the State Government and subject to such conditions as may be specified in this behalf borrow any sum required for the purposes of this Act.

Investment of fund.

13. If the fund or any portion thereof cannot be applied at an early date for carrying out any of the activities referred to in this Act, the Board shall invest the same in any of the securities specified in clauses (*a*) to (*d*) and (*f*) of section 20 of the Indian Trusts Act, 1882. 2 of 1882.

Directions by the State Government to the Board.

14. The State Government may give the Board such directions as in its opinion are necessary or expedient in connection with expenditure from the fund or for carrying out any of the purposes of this Act. It shall be the duty of the Board to comply with such directions.

Appointment and powers of Welfare Commissioner.

15. (*1*) There shall be a Welfare Commissioner to be appointed by the State Government subject to such terms and conditions of his service as may be prescribed.

(*2*) The Welfare Commissioner shall be the principal executive officer of the Board.

(*3*) It shall be the duty of the Welfare Commissioner to ensure that the provisions of this Act and the rules made thereunder are duly carried out and for this purpose he shall have the power to issue such orders not inconsistent with the provisions of this Act and the rules made thereunder as he deems fit including any order implementing the decisions taken by the Board under this Act or the rules made thereunder.

Appointment of Inspectors and their powers.

16. (*1*) The State Government may appoint Inspectors for carrying out the purposes of this Act.

(*2*) The terms and conditions of service of such Inspectors shall be such as may be prescribed.

(*3*) Any Inspector may—

(*a*) with such assistants, if any, as he considers necessary being persons in the service of the Government, enter at all reasonable hours any premises or place for inspecting any records, registers, documents and notices required to be maintained and kept under this Act or the rules made thereunder and require the production thereof for inspection and for taking copies, if necessary, and

(*b*) exercise such other powers as may be prescribed.

Absorption of the existing staff of Labour Commissioner.

17. The Board shall take over and employ such of the existing staff under the control of the Labour Commissioner, West Bengal, as the State Government may direct and every person so taken over and employed shall be subject to the provisions of this Act and the rules made thereunder:

Provided that—

(*a*) during the period of such employment all matters relating to pay, leave, allowances, pensions, provident fund and all other conditions of service of the said staff shall be regulated by the rules of the State Government for the time being in force or such other rules as may from time to time be made by the State Government;

The West Bengal Labour Welfare Fund Act, 1974.

(*Sections 18—22.*)

(*b*) every person so taken over shall have a right of appeal to the State Government against any order of reduction, dismissal or removal from service or fine or any other penalty imposed by the Board:

Provided further that any person so taken over may elect within the prescribed period that he desires to be governed by the regulations made under this Act in respect of the conditions of service of the staff appointed by the Board under this Act and on his electing to do so the provisions of the first proviso shall cease to apply to him.

Appointment of staff by Board.

18. (*1*) The Board shall appoint such number of officers and other employees as may be necessary for carrying out its functions under this Act.

(*2*) The Board shall, with the approval of the State Government, make regulations regardng the method of recruitment, pay and allowances, and all other conditions of service of the members of its staff appointed under this section:

Provided that until regulations are so made, the conditions of service of such staff shall be governed by the rules made by the State Government in this behalf.

Power of State Government or authorised officer to call for records, etc.

19. The State Government or any officer authorised by the State Government in this behalf may call for the records of the Board, inspect the same and supervise the working of the Board.

Mode of recovery of sums payable to the Board, etc.

20. Any sum payable to the Board or into the fund under this Act shall, without prejudice to any other mode of recovery, be recoverable as an arrear of land revenue.

Penalties.

21. (*1*) Any person who wilfully obstructs an Inspector in the exercise of his powers or discharge of his duties under this Act or fails to produce for inspection on demand by an Inspector any registers, records or other documents maintained in pursuance of the provisions of this Act or the rules made thereunder or to supply to him on demand true copies of any such documents, shall, on conviction, be punished—

(*a*) for the first offence, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both; and

(*b*) for a second or subsequent offences, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both:

Provided that in any case where the offender is sentenced to fine only, the amount of fine shall not be less than fifty rupees.

(*2*) If any employer—

(*a*) fails to pay any contribution which under this Act, he is liable to pay, or

(*b*) is guilty of any contravention of or non-compliance with any of the requirements of this Act or the rules made thereunder, in respect of which no penalty is provided,

he shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both.

Provisions relating to jurisdiction.

22. (*1*) No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence punishable under section 21.

(*2*) No prosecution for such offence shall be instituted except by an Inspector with the previous sanction of the Welfare Commissioner.

(*3*) No Court shall take cognizance of such offence, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed.

The West Bengal Labour Welfare Fund Act, 1974.

(*Sections 23, 24.*)

Supersession of Board.

23. (*1*) If the State Government is satisfied that the Board has made default in performing any of the duties imposed on it by or under this Act or has abused its power, the State Government may, by notification in the *Official Gazette*, supersede the Board:

Provided that before issuing the notification under this sub-section, the State Government shall give a reasonable opportunity to the Board to show cause why it shall not be superseded and shall consider the explanation, if any, of the Board.

(*2*) After the supersession of the Board and until it is reconstituted, the powers, duties and functions of the Board under this Act shall be exercised or performed by such officer or officers, as the State Government may appoint for this purpose.

Rules.

24. (*1*) The State Government may, by notification in the *Official Gazette* and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may be made for all or any of the following matters, namely:—

(*a*) the intervals at which or the period within which any of the sums referred to in section 3 shall be paid to the fund, the manner of making such payment and the agency for paying or collecting any such sum;

(*b*) the manner in which the accounts of the fund shall be maintained and audited under sub-section (*4*) of section 3;

(*c*) the procedure for defraying expenditure out of the fund;

(*d*) the allowances, payable to the members of the Board under sub-section (*4*) of section 4;

(*e*) the manner referred to in sub-section (*6*) of section 4 in which the Board shall conduct its business;

(*f*) the particulars to be contained in the notice and the other manner in which such notice is to be displayed under sub-section (*2*) of section 8;

(*g*) the form for submission of statement under sub-section (*7*) of section 9;

(*h*) the condition subject to which penalty may be remitted under the proviso to sub-section (*2*) of section 10;

(*i*) the terms and conditions of service of the Welfare Commissioner referred to in sub-section (*1*) of section 15;

(*j*) the terms and conditions of service of the Inspectors and their powers referred to in section 16;

(*k*) delegation of powers and functions of the Board to the Welfare Commissioner and the conditions and limitations subject to which such powers may be exercised or functions discharged;

(*l*) the registers and records to be maintained and returns to be sent to the State Government by the Board under this Act;

(*m*) the publication of the report of the activities financed from the fund together with a statement of receipts and expenditure of the fund and a statement of accounts;

(*n*) any other matter which under this Act is required to be or may be prescribed.

The West Bengal Labour Welfare Fund Act, 1974.

(Sections 25—28.)

Members of Board, Welfare Commissioner, Inspectors and all officers and employees of Board to be public servants.

25. The members of the Board, the Welfare Commissioner, the Inspectors and all other officers and other employees of the Board shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. Act 45 of 1860.

Protection to persons acting in good faith.

26. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Exemptions.

27. The State Government may, by notification in the *Official Gazette*, exempt any class of establishments from all or any of the provisions of this Act subject to such conditions as may be specified in the notification.

Amendment of section 8 of Act 4 of 1936.

28. In section 8 of the Payment of Wages Act, 1936, in its application to West Bengal, to sub-section (*8*), the following proviso shall be added before the *Explanation*, namely:—

"Provided that in the case of any establishment to which the West Bengal Labour Welfare Fund Act, 1974, applies, all such realisations shall be paid into the fund constituted under the said Act.".

By order of the Governor,

K. K. MOITRA,

Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

NOTIFICATION

No. 7159-P.—30th August 1974.—Whereas the Governor is of opinion that it is necessary that an inquiry should be made into the following definite matter of public importance, namely, the incidents which occurred at the Cooch Behar Town in Behar on the 27th of Augus the district of Cooch 1974 in which a member of the Central Reserve Police opened fire resulting in injury to two persons, one of whom subsequently succumbed to such injuries and in which damages were done to Government properties and records;

And whereas no Commission of Inquiry has been appointed by the Central Government to enquire into the aforesaid matter;

Now, therefore, in exercise of the power conferred by section 3 of the Commissions of Inquiry Act, 1952 (Act 60 of 1952), the Governor is pleased hereby to appoint a Commission of Inquiry consisting of Shri T. P. Mukherji, Retired Judge of the Calcutta High Court, to enquire into the aforesaid matter with reference to the following points, namely:—

(1) What were the causes which led to the incident at the Cooch Behar Town in the district of Cooch Behar on the 27th August 1974 in which the Central Reserve Police opened fire resulting in injury to two persons, one of whom subsequently succumbed to such injuries;

(2) What was the nature and extend of the incident;

(3) Was the firing by the Central Reserve Police justified;

(4) If the answer to (3) above is in the negative, who were the persons responsible for the unjustified firing and what action should be taken against them;

(5) (a) What were the circumstances leading to the causing of the damage to the Government properties and records and what are the nature and extent of such damage;

(b) Who were the persons responsible for causing such damage;

(6) Any other matter relevant or incidental to the above questions which the Commission may deem fit and proper to investigate;

and to submit to the State Government a report embodying its findings and its recommendations thereon within 30 days from the date of publication of this notification in the "Calcutta Gazette, Extraordinary".

By order of the Governor,
B. R. GUPTA,
Chief Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 5880-F.T.—30th August 1974.—In exercise of the power conferred by section 25 of the West Bengal Sales Tax Act, 1954 (West Ben. Act IV of 1954), the Governor is pleased hereby to make the following amndment in this department notification No. 1151-F.T., dated 1st April 1974, published at page 732 of Part I of the "Calcutta Gazette, Extraordinary", dated the 1st April 1974 (hereinafter referred to as the said notification), namely:

Amendment

In the said notification, under the heading "The Commodities Referred to Above", below the entry relating to item (1), insert the following Explanation, namely:—

"**Explanation:** This item will not include amplifiers and loudspeakers and spare parts and accessories thereof sold as such separately.".

By order of the Governor,
K. BANERJEE,
Dy. Secy. to the Govt. of West Bengal.

HOME DEPARTMENT

Transport

NOTIFICATION

No. 10349-WT.—29th August 1974.—In exercise of the powers conferred by sections 21, 41 and 68 of the Motor Vehicles Act, 1939 (4 of 1939), the Governor is pleased hereby to make, after previous publication as required by sub- section (1) of section 133 of the said Act, the following amendments in the Bengal Motor Vehicles Rules, 1940, published with notification No. 1930-Pl., dated the 21st September 1940 at pages 2655-2829 of Part I of the "Calcutta Gazette" of the 10th October 1940, as subsequently amended (hereinafter referred to as the said rules) namely:

Amendments

In the said rules,—

(1) after sub-rule (d) of rule 11, insert the following proviso, namely,—

"Provided that no fee shall be charged for issue of duplicate licences in place of those lost or destroyed from the custody of a licensing authority, by natural calamities like earthquake, floods, etc, if the State Government is satisfied that the loss or destruction is due to reasons which are beyond the control of the said authority;

(2) after sub-rule (b) of rule 39, insert the following proviso, namely,—

"Provided that no fee shall be charged for issue of duplicate certificate of registration and duplicate certificate of fitness in place of those lost or destroyed from the custody of a registering authority, by natural calamities like earthquake, floods, etc, if the State Government is satisfied that the loss or destruction is due to reasons which are beyond the control of the said authority";

(3) after sub-rule (e) of rule 80, insert the following proviso, namely,—

"Provided that no fee shall be charged for issue of duplicate permits in place of those lost or destroyed from the custody of the State or a Regional Transport Authority, by natural calamities like earthquake, floods, etc, if the State Government is satisfied that the loss or destruction is due to the reasons which are beyond the control of the said authority."

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Press

NOTIFICATION

No. 1353-Pr/53/74.—31st August 1974—Whereas it appears to the Governor that the July 20, 1974, issue of "ORGANISER", an English weekly, edited by Shri V. P. Bhatia, printed at Bharat Mudranalaya, Rani Jhansi Road, New Delhi, and published by Shri Brij Bhusan for Bharat Prakashan (Delhi) Ltd., E-7, Jhandewala Extension, New Delhi-110055, published an article entitled "The Arabs are the cultural children of India", purported to have been written by H G. Mudgal, containing matters which deliberately and maliciously intend to outrage the religious feelings and beliefs of the Muslim and other communities and the publication of which is punishable under section 295A of the Indian Penal Code (Act 45 of 1860);

Now, therefore, in exercise of the power conferred by section 95 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), and in consideration of the grounds of opinion mentioned below, the Governor is pleased hereby to declare every copy of the said issue of the said English weekly newspaper and all other documents containing copies, reprints and translations thereof, or extracts therefrom, be forfeited to the Government.

Grounds of Opinion

The article published in the said issue of the English weekly, contains slanderous and contemptuous matters, such as, "Mohammad was a worshipper of Kaaba the Black stone and other traditional Gods of the Arabs till the age of forty", ".... the Quran contains repetitious ideas, for it is a compilation of his (Mohammad's) qawalis", "God of the Bible, of the New Testament, of the Quran, is a weak God and has power only over weakminded men and women", etc., which are deliberately and maliciously intended to outrage the religious feelings and beliefs of the Muslim and other communities.

By order of the Governor,
S. SEN,
Dy. Secy. to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Primary

NOTIFICATION

No. 1266-Edn(P)/10R-3/67.—29th August 1974.—In exercise of the power conferred by sub-section (1) and, in particular, by clause (p) of sub-section (2) of section 66 of the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendment in the rules published with this department notification No 1493-Edn., dated the 25th July 1940, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendment

In the said rules, delete the words, "with the approval of the Government" occurring at the end of the "Explanation" below rule 4A

By order of the Governor,
B. N. CHATTERJEE,
Jt Secy. to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Reforms

NOTIFICATION

No. 17848-L.Ref.|20R-1|74.—30th August 1974.—The following draft of amendments which, in exercise of the power conferred by section 92 of the West Bengal Non-Agricultural Tenancy Act, 1949 (West Ben. Act XX of 1949), the Governor proposes to make in the West Bengal Non-Agricultural Tenancy Rules, 1949, as subsequently amended (hereinafter referred to as the said rules), is hereby published as required by sub-section (1) of the said section, for information of the persons likely to be affected thereby.

The draft will be taken into consideration on or after the 1st October 1974 and any objection or suggestion with respect thereto which may be received by the undersigned before that date, shall be considered.

Draft Amendments

In the said rules,—

(i) in clause (iii) of sub-rule (2) of rule 6, for the words "annas two" substitute the words "fifteen paise";

(ii) for rule 7, substitute the following rule, namely :—

"Procedure for making a survey and revision or preparation of records-of-right under section 27 and the powers to be exercised by Revenue Officers under the said section

7. (1) When an order has been made under section 27 directing that a survey be made and the records-of-right be revised or prepared by a Revenue Officer in respect of all non-agricultural lands in any district or part thereof, the Revenue Officer, shall, in revising or preparing such records-of-right, follow mutatis mutandis the procedure laid down in Schedule A appended to the West Bengal Land Reforms Rules, 1965.

(2) The particulars to be recorded by the Revenue Officer in the records-of-right may mutatis mutandis include, either without or in addition to other particulars, any of those particulars specified in rule 23 of the West Bengal Land Reforms Rules, 1965.

(3) There shall be a separate khatian for each tenant and the khatian shall include all non-agricultural lands held by such tenant in one mauza. There shall also be a separate khatian for each under-tenant and the khatian shall include all non-agricultural lands in one mauza held by such under-tenant under each tenant or a group of co-sharer tenants or another under-tenant or a group of co-sharer under-tenants.

(4) A Revenue Officer appointed to act under section 27 shall exercise all the powers of a Revenue Officer under the Act in so far as they relate to the making of surveys and the revision or preparation of records-of-right and may also be vested with the powers as provided in Schedule B appended to the West Bengal Land Reforms Rules, 1965.";

(iii) after rule 7, insert the following rules, namely :—

"Draft and final publication of records-of-right

7A. The manner of publication of a draft of the records-of-right, the period of its publication, and the procedure for final publication of the records-of-right shall be as laid down in rules 24 and 25 of the West Bengal Land Reforms Rules, 1965.

Appeal under sub-section (5) of section 28

7B. (1) Every appeal shall be filed in the form of a memorandum duly signed and verified by the appellant and shall be accompanied by an authenticated copy of the order appealed against.

(2) An appeal shall be filed within one month from the date of passing of the order appealed against :

Provided that an appeal may be submitted after the said period when the appellant satisfies the appellate authority that he had sufficient cause for not preferring an appeal within the said period.

(3) The Court fee payable on the memorandum of appeal shall be such as are provided in article 11 of Schedule II of the West Bengal Court Fees Act, 1970 (X of 1970), and shall be collected in the manner laid down in that Act.";

(iv) in rule 9, for sub-rule (1), substitute the following sub-rule, namely,

"(1) The apportionment of rent for the non-agricultural and other lands included in a tenancy shall be made on the basis of area.";

(v) in rule 11, for the words "The Director of Land Records and Surveys, West Bengal" substitute the words "The Settlement Officer of a district.";

(vi) for rule 12, substitute the following rule, namely :—

"Publication of the date of confirmation of the roll and the place and time of its inspection

12. When the roll has been confirmed, it shall forthwith be returned by the Settlement Officer to the Revenue Officer by whom it was submitted and the Revenue Officer shall cause the date of confirmation to be published in the Notice Board and shall send copies of the notice to the Collector, Subdivisional Officer, Junior Land Reforms Officer and Anchal Panchayat for displaying the notice in their respective Notice Boards. A certified copy of the roll shall remain open to public inspection in the Office of the Revenue Officer in whose jurisdiction the land is situate for a period of one month from the date of publication of such notice.";

(vii) in clause (i) of rule 13, for the words "The Commissioner of the Division within whose jurisdiction the land is situate" substitute the words "The Director of Land Records and Surveys, West Bengal.";

(viii) omit rule 14; and

(ix) for rule 21, substitute the following rule, namely :—

"Process fee referred to in the second proviso to sub-section (1) of section 72 and the amount of fee referred to in sub-section (3) of the said section

21. A process fee of rupee one and paise eighty only for each party on whom a notice is to be served under the second proviso to sub-section (1) of section 72 shall be paid with an application under that sub-section. The fee payable with a memorandum of appeal to the Commissioner of the Division under sub-section (3) of the said section shall be the same as provided in sub-rule (3) of rule 7B.".

By order of the Governor,
S. MULLICK,
Secy. to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No 4465 MIM-11/73.—29th August 1974.—In exercise of the power conferred by clause (i) of sub-section (1) of section 6 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to declare his intention to alter the number of Commissioners of the Barrackpore Municipality in the district of 24-Parganas from nineteen to twenty-three for the purpose of and from the next reconstitution of the Commissioners of the said Municipality.

By order of the Governor,

K. P. GORAI,

Dy. Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Evacuee Property Administration

NOTIFICATION

No. 17830-EPA/5E-3/74.—30th August 1974.—In exercise of the powers conferred by sub-section 3 of section 12 of the West Bengal Evacuee Property Act, 1951 (West Ben. Act V of 1951), the Governor is pleased to appoint Shri Ibrahim T. Zarif, a member for the Minority Community, as a member of the Evacuee Property Management Committee for West Bengal with effect from the 14th September 1974 in place of Shri T. M. Zarif, resigned.

By order of the Governor,
J. N. MOOKHERJEE,
Spl. Secy to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF PANCHAYATS

NOTIFICATION

No. 14177Panch.—19th August 1974.—Whereas the Governor is satisfied on the report of the prescribed authority appointed for the purpose of section 67 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957), under the Department of Panchayat's notification No. 11160 Panch/2A-28/66, dated the 2nd September 1967, that Kumbhira Anchal Panchayat within Kaliachak III Block, district Malda, is not competent to perform and is persistently making default in performing the duties imposed on it by and under the said Act;

Now, therefore, in exercise of the power conferred by section 67 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957), the Governor is pleased hereby to direct that the said Kumbhira Anchal Panchayat be superseded for a period of one year with effect from the date of publication of this notification in the "Calcutta Gazette".

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4462/M2A-15/73 Pt.I.—29th August 1974.—In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Ben. Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of notification No. 4298/M2A-15/73Pt.I, dated the 7th August 1974, the Governor is pleased to appoint Shri Sachipati Bhattacharya, a retired officer, West Bengal General Service, to be Executive Officer, South Dum Dum Municipality in the district of 24-Parganas, with effect from the date of his taking over charge from Shri Atindra Kumar Mitra, the Executive Officer of the said municipality, for a period of six months, and to direct that Shri Bhattacharya as Executive Officer of the South Dum Dum Municipality shall exercise and perform such powers and duties of the Chairman and the Commissioners of the said municipality as were conferred and imposed on the Executive Officer of the said municipality by notification No. 7019/M2R-15/71, dated the 22nd December 1971.

2. Notification No. 3248/M2A-15/73 Pt.I, dated the 3rd July 1974, appointing Shri Bimal Kumar Sinha, WBJCS (retired), as Executive Officer, South Dum Dum Municipality, is hereby cancelled.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

CO-OPERATION DEPARTMENT

NOTIFICATION

No. 3141-Co-op./2R-14/74.—30th August 1974.—In exercise of the power conferred by section 142 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973), and in supersession of the Bengal Co-operative Societies Rules, 1942, as subsequently amended, the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of section 142 of the said Act, the following rules, namely:

THE WEST BENGAL CO-OPERATIVE SOCIETIES RULES, 1974

CHAPTER I

Preliminary

1. **Short title.**—These rules may be called the West Bengal Co-operative Societies Rules, 1974.

2. **Definitions.**—(1) In these rules, unless there is anything repugnant in the subject or context,—

(a) "the Act" means the West Bengal Co-operative Societies Act, 1973;

(b) "borrowed capital" means the total of loans, deposits and other borrowings of a co-operative society;

(c) "Additional Registrar of Co-operative Societies", "Joint Registrar of Co-operative Societies", "Deputy Registrar of Co-operative Societies", "Assistant Registrar of Co-operative Societies", "Chief

Auditor of Co-operative Societies", "District Auditor of Co-operative Societies", and "Co-operative Development Officer" mean respectively persons appointed by those designations by the State Government to assist the Registrar of Co-operative Societies;

(d) "director" means a member of a managing committee but excludes a managing director;

(e) "distrainer" means a person who is empowered by the Registrar to distrain and sell the produce of mortgaged land including the standing crops thereon, in accordance with the provisions of section 99;

(f) "member" includes delegates of members referred to in the proviso to sub-section (1) of section 20;

(g) "owned capital" means the total of paid-up share capital and accumulated reserve fund and other funds created out of profits of a co-operative society or otherwise;

(h) "schedule" means the schedule of forms appended to these rules;

(i) "secretary" means a person who, subject to the control of the managing committee, is entrusted with the managemnet of the affairs of a co-operative society and includes a member of a managing committee or any other person discharging the duties of a secretary by whatever name called and whether under a contract of service with the society or not;

(j) "section" means a section of the Act;

(k) "working capital" means the total capital of a co-operative society consisting of borrowed capital and owned capital; and

(l) words and expressions used in these rules but not defined and defined in the Act shall have the same meanings as are respectively assigned to them in the Act.

(2) Unless otherwise specified in these rules and the bye-laws of a co-operative society—

(a) words importing the masculine gender include the feminine gender;

(b) words in the plural include the singular and vice versa;

(c) the word "person" includes a body of persons corporate or otherwise;

(d) expressions referring to writing include printing, typing, lithography, photography, and other methods of representing or reproducing words in a visible form; and

(e) with reference to a person who is unable to write his name, the word "signature" shall include his thumb impression or other mark duly attested to signify his signature.

(3) There shall be the following classes of co-operative societies, namely:—

(i) "agricultural society" meaning a co-operative society of which the majority of members are agriculturists;

(ii) "agro-service co-operative society" meaning a co-operative society formed of unemployed—

(a) degree holders in any branch of engineering, technology, science, commerce, arts or agriculture, or

(b) diploma-holders in any branch of engineering or technology, or

(c) certificate-holders in any industrial trades, for their exclusive benefits, the percentage of degree or diploma holders in agricultural engineering and in any branch of agriculture in the membership of the co-operative society being not less than sixty per cent.;

(iii) "housing society" meaning a society the object of which is providing its members with dwelling houses, flats or lands for construction of dwelling houses and maintenance of common services in connection therewith;

(iv) "marketing society" meaning a primary society composed of primary agriculutral credit societies, service co-operatives and agriculturists as its members;

(v) "multipurpose society" meaning a co-operative society which includes among its object two or more of the primary objects specified in clauses (a), (c), (ii), (iii), (vi), (x) and (xi) or any other object for which a transport co-operative society is formed;

(vi) "mutual benefit society" meaning a co-operative society, the primary object of which is to create funds by raising contributions from its members by accepting grants and donations or otherwise, and to employ such funds for the benefit of its members or their nominees;

(vii) "processing society" meaning a co-operative society, the primary object of which is to process agricultural produce into a state which is fit for consumption;

(viii) "production and sale society" meaning a co-operative society, the primary object of which is the collective production and/or disposal of goods of its members or otherwise;

(ix) "purchase and sale society" meaning a co-operative society, the primary object of which is to purchase goods and distribute them amongst its members;

(x) "students co-operative" meaning a co-operative society formed mainly of students of educational institutions for their exclusive benefit;

(xi) "thrift and savings society" meaning a co-operative society, the primary object of which is to encourage and provide facilities for the exercise of thrift among its members;

(xii) "transport society" meaning a co-operative society, the members whereof shall be drivers, cleaners, mechanic and others and the object of which shall be to operate transport vehicles for use by the members of such a society as well as for carrying passengers:

Provided that the percentage of drivers, conductors, cleaners, mechanics and other workers shall not be less than 70 per cent. of the total membership of the society.

3. **Determination of one-half, one-third, etc.**—When any rule requires the determination of one-half, one-third or any other fraction of a number and that number is not evenly divisible by 2, 3 or such other figure as may be required, the number next below, which is evenly divisible by 2, 3 or such other figure, shall be taken for the original number.

4. **Forms.**—The forms set forth in the schedule or forms as near thereto as circumstances admit shall be used in all matters to which these forms relate:

Provided that the Registrar may at his discretion—

(i) modify any of the forms set forth in the schedule; or

(ii) suggest new forms in their places or for any other matter for which forms are required.

5. **Net profits.**—The 'net profits' of a co-operative society shall be the profits remaining after allowing for the following charges in addition to those specified in clause (z) of section 2, namely—

(a) all other usual working charges, such as, repairs, rent, taxes and the like, bounties or subsidies received; depreciation and irrecoverable book debts written off;

(b) capital expenditure written off either wholly or in part;

(c) capital loss actually incurred and not adjusted against any fund created out of profits;

(d) provision for estimated bad debts, if any; and

(e) such other charges as may be specified by the Registrar upon advice of the Reserve Bank of India.

6. **Co-operative year.**—The co-operative year shall mean the year commencing on the 1st day of July.

7. **Functions of the State Co-operative Union.**—Subject to such directions as the State Government may, from time to time, issue regarding utilisation of its funds or otherwise, the State Co-operative Union may carry out the following functions, namely—

(i) to promote and develop the co-operative movement in West Bengal, to educate, guide and assist the people in their efforts to build up and expand the co-operative sector and to serve as an exponent of co-operative principles and ideas;

(ii) to organise co-operative training programmes and run training centres according to the schemes of the State Government or otherwise;

(iii) to develop inter-co-operative relationship and help the co-ordinated functioning of the co-operative movement in various sectors;

(iv) to organise, conduct, collaborate and assist in carrying out research and investigation on important co-operative problems;

(v) to maintain an information bureau and a library;

(vi) to express and organise opinion on matters of co-operative policy and act as the accredited representative of West Bengal's Co-operative Movement in the national and international spheres;

(vii) to convene, organise and hold co-operative seminars, meetings, conferences and exhibitions; to spread the message and ideals of co-operative movement in the State and to mould public opinion in respect thereof;

(viii) to facilitate the promotion of co-operative societies and assist the affiliated societies in resolving their problems and difficulties;

(ix) to select delegates, representatives or observers on behalf of the Union for participation in the international, national and State conferences;

(x) to organise, promote or undertake such other activities or functions as are considered beneficial or conducive towards the attainment of the objects of the aforesaid Union in accordance with the bye-laws thereof.

CHAPTER II

Registration

8. **Formation of Co-operative Society.**—(1) No primary co-operative credit society shall be registered unless the applicants—

(i) reside or hold landed property in the same town or village or in the same group of villages; or

(ii) are members of the same class or occupation.

(2) The State Government may, if it is satisfied that it is necessary so to do to ensure at the very inception that the societies hold reasonable promise of future growth, self reliance, broad numerical and financial base and other elements of assured viability, by general or special order, direct that different classes of co-operative societies shall be registered with such contribution to share capital of such societies by the members thereof as may be specified in the order.

(3) No Apex or Central Society shall be registered unless it has among its applicants at least—

(a) six co-operative societies; or

(b) six applicants composed of individual persons and co-operative societies:

Provided that the number of individual persons shall not exceed one-third of the total number of applicants.

9. **Application for registration.**—(1) An application for registration of a society shall be submitted to the Registrar in the form set forth in the schedule and shall be signed by the applicants.

(2) Where a co-operative society is an applicant, the application shall be signed by an officer of the society duly empowered to sign documents on its behalf.

(3) With every application there shall be submitted two copies of the bye-laws which the society proposes to adopt duly signed by the applicants and a third copy, if the society intends to be a member of a financing bank.

10. **Registration of society and refusal to register.**—(1) On receipt of the application, the Registrar shall satisfy himself that the bye-laws are—

(a) in conformity with the Act and the rules,

(b) suitable for carrying out the objects of the society, and

(c) suitable for ensuring the safe conduct of the business of the society.

(2) When a society is registered, the Registrar shall grant certificates of registration in the form set forth in the schedule.

(3) On the registration of a society, two copies of its approved bye-laws shall be stamped with the official seal of the Registrar. One of the said copies shall be retained in the office of the Registrar and the second copy together with the certificate of registration shall be forwarded to the society.

(4) If the society intends to be a member of a financing bank, a third copy shall be authenticated and sent to the financing bank.

(5) In every case in which the Registrar refuses to register a society, he shall record in writing the reasons for his refusal and shall communicate his decision by registered post to the applicant whose name appears at serial No. 1 in the application for registration.

11. **Restriction on membership.**—No person qualified under the bye-laws to be a member of a co-operative society shall be excluded from membership without sufficient cause:

Provided that without the permission of the Registrar—

(i) no person shall be entitled to membership of any society with unlimited liability who is, or has at any time during the two preceding years been, a member of any other society with unlimited liability; and

(ii) no person shall be entitled to membership of any credit society even with limited liability if he is a member of or is indebted to any other such society until he has obtained in writing the consent of the society of which he is already a member.

12. **Making of bye-laws.**—(1) Every co-operative society shall make bye-laws in respect of the following matters, namely:—

(a) the name and registered address of the society;

(b) the extent of the area the inhabitants of which or the persons carrying on their trade, profession or occupation at which are eligible to apply for membership of the society;

(c) the object for which the society is established and the purpose to which its funds may be applied;

(d) the qualifications required for membership and the terms of admission of members;

(e) the rights and liabilities of membership;

(f) the manner in which the capital may be raised;

(g) the mode of appointment and removal of the directors and officers of the society, and the duties and powers of the Managing Committee;

(h) the mode of summoning and conducting meetings, and the right of voting;

(i) the general conduct of the business of the society;

(j) the disposal of profits;

(k) withdrawal, removal and expulsion of members, and the payment, if any, to be made to such members;

(l) transfer of share or interest of a member;

(m) general meeting, the procedure and powers of such meetings;

(n) the powers and duties of the Chief Executive Officer by whatever designation he may be called;

(o) authorisation of an officer or officers to sign documents on behalf of the society;

(p) inspection of the books of the society by members;

(q) inspection of the books of the society by the public and the conditions for the supply of certified copies;

(r) mode of custody and of investment of funds outside the business;

(s) mode of keeping the accounts;

(t) settlement of disputes;

(u) formation and use of reserve fund and the maximum rate of dividend;

(v) manner of making, altering and abrogating bye-laws;

(w) manner of sending notices;

and in a credit society—

(a) guidelines for granting loans, determination of the maximum and normal credit of members and maximum loan admissible to a member;

(b) purposes for which loans may be granted;

(c) security for repayment of loans;

(d) period of repayment and recovery of loans;

(e) extension of the period of repayment and renewals of loans;

and in a consumers' society—

declaration of periodical rebates in appropriate cases on the purchases made from the society by the members, making provision or the issue of shares against the rebates so declared.

(2) In addition, a society may make bye-laws on any other matter incidental to the management of its business including—

(a) imposition of fines and penalties on members and consequences of the failure of any member to pay any sum due;

(b) internal supervision and audit of accounts;

(c) supply of copies of bye-laws and of the annual balance-sheet to members.

13. **Withdrawal, removal or expulsion of member.**—(1) A member of any registered society may, if he is not in debt to the society or is not surety, withdraw from the society after giving one month's notice in writing to the Secretary or any officer performing the duties of the Secretary.

(2) A member may be removed or expelled from a registered society only for such causes, and in accordance with such procedure, as may be provided in the bye-laws.

(3) A member who ceases to be qualified under the bye-laws may be removed by the managing committee.

14. **Amendment of bye-laws.**—(1) After the bye-laws have been registered, a co-operative society may amend them by altering or rescinding any bye-law or by making a new bye-law. No such amendment shall be made save in accordance with a resolution passed at a general meeting:

Provided that subject to sub-rule (2), no such resolution shall be valid unless it is passed by one-third of the total number of members subsisting as such on the date of issue of the notice of the general meeting and by two-thirds of the members present at such meeting.

(2) In special cases the Registrar may register an amendment which is passed by two-thirds of the members present at the meeting, but by less than one-third of the total number of members, if he is satisfied for reasons to be recorded in writing—

(i) that it is impossible for the society to secure the attendance of one-third of the total number of members at a general meeting, and

(ii) that the adoption of the proposed amendment is in the interests of the society.

(3) In every case in which the bye-laws of a society are amended, an application in the form set forth in the schedule for the registration of the new or altered bye-law or for the rescission of an existing bye-law shall be submitted to the Registrar, signed by the Secretary or any other officer performing duties of the Secretary and three directors. The application shall show—

(a) the date of the general meeting at which the amendment was passed;

(b) the number of members on the roll of the society on the date of giving of the notice of the general meeting;

(c) the number of members present at the meeting; and

(d) the number of members who voted in support of the amendment.

(4) With the application shall be submitted two copies of new or altered bye-law, or in the case of the rescinding of a bye-law, two copies of the resolution approving the rescission, and a third copy of such bye-law or resolution, if the society is a member of a financing bank.

(5) When the Ragistrar registers an amendment of bye-laws he shall retain one copy of the new bye-laws or resolution, as the case may be, and send another copy to the society together with a certificate of registration in the form set forth in the schedule. If the society is a member of a financing bank, the third copy duly authenticated by the Registrar shall be sent to such bank.

(6) When the Registrar finds that there are prima facie grounds for refusing to register the proposed amendment under sub-section (2) of section 17, he shall, before making the order, afford the society an opportunity of making its representation by sending back the proposal papers to it under a memorandum stating clearly therein the grounds on which he proposes to refuse to register the amendment and advising it to show cause why the same should not be refused. The Registrar shall make the final order after hearing the society and duly considering its contentions.

15. **Amendment of bye-laws at the instance of the Registrar.**—(1) If it appears to the Registrar to be necessary or desirable in the interest of any co-operative society to amend the bye-laws of such society, the Registrar may, on his own motion or on the application of a financing bank of which the society is a member and a debtor, supported by a resolution of the managing committee of the financing bank indicating the amendment and the reasons justifying the same, authorise any person, by special order in writing, to call a special general meeting of the society to make the amendment within one month or such longer period as may be specified by the Registrar.

(2) Notwithstanding any rule or bye-law prescribing the period of notice for, and the method of summoning, a general meeting, the Registrar, in the case of a meeting called under sub-rule (1), may specify the time and place for the meeting, the manner in which it shall be summoned and the matter which shall be discussed thereat.

(3) Notwithstanding anything contained in sub-rules (1) and (2) of rule 14, the Registrar shall register the amendment, if passed by two-thirds of the members present at the meeting unless there is any provision in the proposed amendment inconsistent with the provisions of the Act and the rules thereunder.

(4) When the Registrar registers the amendment of bye-laws, he shall retain one copy of the new bye-laws and send another copy to the society together with a certificate of registration in the appropriate form set forth in the schedule. If the society is a member of a financing bank, a third copy duly authenticated by the Registrar shall be sent to such bank.

CHAPTER III

Management of Co-operative Societies

16. **Notice of general meeting.**—(1) A general meeting shall be convened by the Secretary or any officer authorised by the managing committee, in accordance with the direction of the managing committee:

Provided that where a Government officer has been deputed to the service of a co-operative society under section 24 he shall, where there is no Secretary, convene the general meeting in accordance with the provisions of the Act and the rules thereunder.

(2) Unless otherwise provided in the bye-laws, a notice of the meeting stating the place, date and hour of the meeting together with a statement of business to be transacted at it shall be sent to every member or any delegate, as the case may be, fifteen clear days before the date of the meeting in the manner provided in the bye-laws.

(3) Any accidental omission to give notice to any member or the non-receipt of the notice by any member shall not invalidate the proceedings of any meeting.

(4) When the Registrar or the officer or person, as the case may be, authorised by him, call a general meeting under section 21(3) or 22(2) or when the Registrar calls such meeting under section 21(4), the Secretary or any other officer authorised by the bye-laws to call general meetings shall arrange for issue and despatch of notices of the meetings as may be required by the Registrar or the officer or persons authorised by him.

17. **General meeting.**—(1) A general meeting of every co-operative society, to be called the annual general meeting, shall be held within fifteen months from the date of its registration and thereafter as provided in section 21.

(2) (i) If the managing committee fails to take steps, or does not give direction, to convene the annual general meeting at least two months before the expiry of the period referred to in sub-rule (1), the Chairman, or in his absence the Vice-Chairman or the Executive Officer or the Managing Director, as the case may be, shall convene the meeting.

(ii) Where the general meeting is required to be held by convoking representatives, the election of delegates shall be completed before the aforesaid period of two months:

Provided that in case of failure of the managing committee to take steps or to give direction, sufficiently in advance, towards holding of such election within the period prescribed just above, the Chairman, and in his absence the Vice-Chairman, shall perform, within the said prescribed period, such duties on behalf of the managing committee:

Provided further that where a general meeting is called by the Registrar, he shall take steps or authorise any of his officers to hold election of delegates in case the managing committee fails to hold such election of delegates within the time specified by the Registrar or by the officer or person authorised by him.

(iii) No person shall be qualified to be chosen as a representative or elected as a delegate to join the general meeting of an apex or a central society, as the case may be, if he is not a member of that apex or central society, as the case may be, or of any society affiliated to that apex or central society.

18. **Special general meeting.**—(1) The rules concerning general meeting shall apply, *mutatis mutandis*, to special general meetings called under section 22.

(2) At a special general meeting, no business other than that specified in the notice issued under sub-rule (2) of rule 16 shall be discussed.

19. **Requisition of special general meeting.**—A requisition for a special general meeting to be convened under clause (a) of sub-section (1) of section 22 shall state the object of the meeting, shall be signed by the members requisitioning it and shall be sent to the registered office of the society.

20. **Powers of general meeting.**—(1) The general meeting of a co-operative society shall examine, subject to the provisions of section 21, the annual report regarding working of the society and, in particular, the work of the managing

committee and shall be competent to take all steps that may be necessary in the interest of the society.

(2) Every resolution at a meeting shall be decided by a majority of votes of members, and if the votes be equal, the Chairman shall have a second or casting vote.

21. **Chairman of general meeting.**—(1) The Chairman, or in his absence the Vice-Chairman, of a society shall preside over the general meeting of a society. In the absence of the Chairman and the Vice-Chairman, one of the directors in the panel mentioned in sub-rule (5) of rule 28, in order of their names in the panel, shall be the Chairman of the meeting.

The said Chairman shall preside over the meeting till the item for electing members of the managing committee is taken up; and thereafter, if the said Chairman is a candidate for election, the members present at the meeting shall elect from amongst them one who is not a candidate for election to preside over the meeting till the election is over. The Presiding Officer elected or the Election Officer appointed in terms of rule 29, as the case may be, shall conduct the election, and at the conclusion of the meeting the Presiding Officer or the Election Officer, as the case may be and the Chairman or Chairmen, as the case may be, shall sign the proceedings of the meeting.

(2) The Chairman of the general meeting shall maintain order in the meeting and shall control and conduct the proceedings in such manner as may be conducive to expeditious and satisfactory disposal of business. He shall decide all points of order and his decision upon such points shall be final.

(3) The Chairman of the general meeting may direct any member to withdraw for disorderly conduct, and the member so ordered shall immediately withdraw and unless otherwise directed by the Chairman shall remain absent during the remaining period of the meeting on that date and shall not be entitled to vote without the permission of the Chairman.

(4) In the event of disorder, the Chairman of the meeting may suspend the meeting and adjourn it.

(5) In case where the business of the general meeting cannot be completed in the course of one sitting, the same may be adjourned by the Chairman of the meeting.

22. **Quorum of general meeting.**—(1) Unless otherwise provided in the bye-laws, the quorum for a general meeting shall be one-fifth of the total number of members subsisting as such as on the date of notice of the meeting. After the issue of such notice, no new member shall be admitted till the general meeting is over.

(2) No business shall be transacted at any meeting unless there is a quorum at the time when the business of the meeting is due to commence.

(3) If within half-an-hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned:

Provided that—

(i) no quorum shall be necessary at a meeting adjourned in accordance with this sub-rule, and

(ii) a meeting, which has been called on requisition under clause (a) of sub-section (1) of section 22, shall not be adjourned but dissolved.

(4) If at any time during the meeting sufficient number of members are not present to form a quorum, the Chairman of the meeting, on his attention being drawn to this fact, shall adjourn the meeting, and the business that remains to be transacted at this meeting, if any, shall be disposed of in the usual manner at the adjourned meeting.

(5) Where a general meeting is adjourned under sub-rule (4) or sub-rule (5) of rule 21 or under sub-rule (3) or sub-rule (4) of this rule, the adjourned meeting shall be held ordinarily at the same place, on the same day of the next week and at the same time, and the fact of adjournment shall be notified at the office of the society and at its branches, if any, and on the notice board of the local panchayat office, if there be any.

23. **Minutes of general meeting.**—(1) Every co-operative society shall cause minutes of proceedings of general meetings to be entered in a book kept for that purpose.

(2) Unless the minutes are drawn up and are duly signed by the Chairman immediately on the termination of the meeting, the minutes free from all alterations or corrections shall be drawn up and shall be signed by the

of the meeting within seventy-two hours from the time when the meetings terminated. The minutes so signed shall be evidence of the proceedings of that meeting.

(3) Until the contrary is proved, every general meeting of a society, in respect of the proceedings whereof minutes have been so recorded, shall be deemed to have been duly called and held.

24. **Voting of general meeting.**—(1) A resolution which is put to the vote of a general meeting shall be decided on a show of hands unless (whether before or after the declaration of the result of the show of hands) a poll is demanded by at least ten members, and if no poll is demanded, a declaration by the Chairman of such meeting that a resolution has been carried or lost and an entry to that effect in the minutes of the proceedings shall, for the purposes of the Act, be conclusive proof of the fact that such resolution has been duly carried or lost but it shall not be proof of the number or proportion of the votes recorded in favour of or against such resolution.

(2) If a poll is demanded, the votes shall be taken in such manner and at such time as the Chairman of the meeting directs, and the result of such poll shall be deemed to be the decision regarding the resolution over which the poll is demanded:

Provided that when a poll is taken, the voting shall be by ballot.

(3) When a poll is taken, the number of members voting for or against a resolution shall be recorded in the minutes of the proceedings.

25. **General meeting by delegates.**—(1) A primary co-operative society with a membership of 1,500 or more but not exceeding 3,000 may, if the bye-law so provides, and a co-operative society with a membership exceeding 3,000 shall hold their general meetings by convoking representatives (hereinafter referred to as delegates) of areas, sections, constituencies or categories, as the case may be, instead of summoning all members in person, on the basis of the following slabs of the representation, namely:—

(a) one delegate for every 25 members or major fraction thereof for a society with a membership from 1,500 to 3,000;

(b) one delegate for every 50 members or major fraction thereof for a society with membership from 3001 to 5000;

(c) one delegate for every 100 members or major fraction thereof for a society with a membership from 5,001 to 10,000;

(d) one delegate for every 200 members or major fraction thereof for a society with a membership from 10,001 to 30,000;

(e) one delegate for every 250 members or major fraction thereof for a society with a membership of 30,001 or more.

(2) Notwithstanding anything contained in sub-rule (1), the West Bengal State Co-operative Bank Limited, the West Bengal Central Co-operative Land Development Bank Limited and the Central Co-operative Banks shall hold their respective general meetings by convoking representatives (hereinafter referred to as the delegates) of sections or categories, as the case may be, instead of summoning all members in person, on the following basis, namely:—

(a) in case of the West Bengal State Co-operative Bank Ltd.—

(i) one delegate for every member Central Bank and one delegate from the area of operation of each Central Bank (if any) amalgamated with the State Co-operative Bank in terms of the scheme drawn by the State Government;

(ii) one delegate for every member Apex Society;

(iii) one delegate for every category of other member societies: provided that where the number in any category exceeds 25, there shall be one delegate for every 25 or a fraction thereof; and

(iv) one representative of the State Government;

(b) in case of the West Bengal Central Co-operative Land Development Bank Ltd.-

(i) one delegate for every member Primary Land Development Bank;

(ii) one delegate to be elected from the area of operation of each branch of the Central Co-operative Land Development Bank by the members in that area;

(iii) one delegate for every class of the other members: and

(iv) one representative of the State Government;

(c) In case of a central co-operative bank,—

(i) one delegate for every co-operative society affiliated to the central co-operative bank concerned,

(ii) one delegate for every 50 individual members, where individual persons are enrolled as members and/or one for a fraction thereof,

(iii) one representative of the State Government, where the State Government is a shareholder of the bank.

(3) No person shall be qualified to be elected as a delegate who is not a member of the society or the concerned affiliated society and who is not over 21 years of age.

(4) The delegates shall hold office and attend all general meetings till fresh delegates are elected in their places:

Provided that fresh delegates shall be elected before each annual general meeting.

(5) Each delegate shall have one vote.

(6) A member shall cease to be a delegate, if he—

(a) ceases to be a member of the society, or of the affiliated society, or

(b) resigns his office as a delegate, and the resignation is accepted by the managing committee of the society to which he is sent as a delegate.

(7) A casual vacancy in the office of a delegate in any area, section, constituency or category shall be filled by election, within six months from the date of such vacancy, by members in the area or section concerned:

Provided that a casual vacancy caused in the office of a delegate from any affiliated society shall be filled up in the manner in which the delegate was chosen:

Provided further that failure to fill a casual vacancy shall not invalidate the proceeding in a general meeting.

26. **Division of area of a society for election of delegates.**—(1) The managing committee shall, subject to approval of the Registrar, divide the area of the society into convenient areas, sections, constituencies or categories for the purpose of election of delegates.

(2) The division of the area of operation of a society under sub-rule (1) shall be duly notified to all the members, and a member in a particular area, section, constituency or category shall be entitled to vote in the election of the delegate only for that particular area, section, constituency or category.

27. **Framing of regulations by managing committee.**—The managing committee shall make regulations to provide for all matters relating to the election of delegates, and in particular for—

(a) the manner of nomination and election of delegates,

(b) the total number of delegates to be elected, and the number of delegates to be elected from each area, section, constituency or category in accordance with sub-rules (1) and (2) of rule 25.

28. **Constitution of managing committee.**—(1) The managing committee of a co-operative society shall be constituted by—

(a) election from amongst members at an annual general meeting:

Provided that when the general meeting of a co-operative society is held for electing members of the managing committee thereof, and the affiliated societies are represented by delegates in such meeting, only such delegates of such affiliated societies and no other member thereof shall be eligible for election as directors of the first mentioned co-operative society representing the respective affiliated societies;

(b) appointment by such bodies as may be specified in this behalf in the bye-laws of the society; and

(c) nomination by State Government when it decides to make such nominations in terms of section 28.

(2) A member nominated by the State Government to the managing committee of a co-operative society under sub-section (1) of section 28 shall hold office until a fresh nomination is made in his place, and the State Government may similarly nominate a new member to fill up any casual vacancy among the nominated members.

(3) The managing committee of a society shall have not less than six and not more than twelve elected directors as may be fixed in the bye-laws but the number of such directors shall always be a multiple of three:

Provided that—

(a) in the case of an apex society, the number of elected directors may exceed twelve but shall not exceed thirty,

(b) in the case of a central co-operative bank—

(i) the number of elected directors shall be nine out of which the number of elected directors from amongst the affiliated primary agricultural credit societies shall be twice the number of the directors elected from amongst other categories of members,

(ii) having regard to the area of operation and the extent of membership, the State Government may, by notification, enhance the number of elected directors to twelve in appropriate cases subject to the proportion hereinbefore mentioned:

Provided that where the existing number of elected Directors of a central co-operative bank is in excess of the limits laid down in this sub-rule, the whole body of elected Directors shall retire at the first general meeting after commencement of these rules; and the managing committee shall be reconstituted with nine or twelve members, as the case may be, after suitable delimitation of constituencies.

(4) Except where election by ballot is demanded by at least ten members present, the directors shall be elected, subject to the provisions of rule 29, by open vote at the annual general meeting.

Where the number of candidates exceeds the number of directors to be elected, the election of directors shall be on the basis of number of votes pulled by each candidate individually.

(5) The managing committee so constituted shall, subject to the provision of rule 37, within a period not exceeding thirty days after the general meeting, elect a Chairman, and a Vice-Chairman, a panel of Chairmen not exceeding three for presiding over its meetings in absence of the Chairman and Vice-Chairman and other necessary office-bearers from amongst themselves. In case of equality of votes in the matter of such elections, the result shall be determined by lot:

Provided that when the meeting of the managing committee mentioned above is not held within the said period of thirty days, the Registrar or any person authorised by him may, in exercise of the powers conferred upon him under sub-section (1) of section 27, summon a meeting as soon as possible after the aforesaid period of thirty days, for election of the office-bearers mentioned above:

Provided further that the existing Chairman, Vice-Chairman and the office-bearers shall continue to be in office till fresh election in their places be held and the existing Secretary or any officer performing the duties of the Secretary shall convene the first meeting of the newly-constituted managing committee of a society, not coming within the purview of rule 29, for election of office-bearers in accordance with this sub-rule.

(6) Any casual vacancy in the office of the Chairman or the Secretary or any member of the managing committee of a co-operative society shall be filled up, by election or by co-option as required, by the remaining directors within a month from the date of such vacancy, and in case of their failure to do so, the vacancy may be filled up by appointment by the Registrar, and the Chairman, or the Secretary or the director so elected, co-opted, or appointed shall retire at the next general meeting, and the vacancy thus caused shall be filled up at such meeting by election of a director for the remainder of the term of office of the director in whose place the vacancy originally occurred:

Provided that in case such vacancy be not filled up by election or co-option or appointment as aforesaid, anything done or suffered or any action taken by the managing committee during the continuance of such vacancy shall not be invalidated by reason only of such vacancy having not been filled up and such vacancy shall be filled at the next general meeting.

(7) If at the general meeting of a co-operative society. requisite number of directors cannot be elected as required under the bye-laws due to disqualification or otherwise, the vacancy or vacancies shall be filled up by appointment from members of that society by the Registrar to complete the constitution of the managing committee. The director or directors so appointed shall hold office till the vacancy or vacancies is or are filled up by election to be held within three months from the date of such appointment or appointments.

(8) The seats reserved on the managing committee of a co-operative society for the members of any community, class or group of persons under sub-section (2) of section 28 shall be filled up by election by votes of the members of such society.

29. **Procedure of holding election in a general meeting.**—(1) The election of the members of the managing committee (hereinafter in this rule referred to as "the committee") and its necessary office-bearers of every apex society, central society and primary society having working capital or annual transactions of rupees five lakhs and above shall be held and conducted in the manner specified in this rule:

Provided that a society may, for the purpose of election of members to the committee, divide its membership into different convenient groups, specify in its bye-laws the number or proportion of the members of the committee who may be elected to represent each such group in the committee and specify further that such representatives may be elected—

(a) by all the members of the society, or

(b) by only that particular group of members of the society to which the reperesentative vacating the office belonged.

(2) The election of the members of the committee shall be held at a general meeting of the members of the society or of delegates of such members, with not less than fifteen clear days' notice to each of the members. The member elected to preside over the said meeting (hereinafter in this rule referred to as the "Presiding Officer") shall commence and conduct the election:

Provided that at the commencement of the meeting, except an adjourned meeting, there shall be the quorum specified in the rules or the bye-laws:

Provided further that no member seeking election shall act as the Presiding Officer, and only a member not seeking election shall be chosen as the Presiding Officer.

(3)(i) The notice of the general meeting shall be sent to the members or to the delegates in one or more of the following modes, namely:—

(a) by local delivery under proper receipt, or

(b) by post under certificate of posting, or

(c) by publication through press.

Notice of the general meeting shall also be affixed to the notice board of the society and published at such public places of importance as may be decided by the committee of society.

(ii) The notice shall contain information regarding—

(a) the number of vacancies to be filled up by election;

(b) any area or constituency, that is specified in the bye-laws, from which the members are to be elected;

(c) the qualification, if any, prescribed in the rules and bye-laws for eligibility for membership of the committee:

Provided that when there is a conflict between the rules and the bye-laws, the provision or the provisions in the rules shall prevail; and

(d) the date on which, the place at which and the hours between which the nomination papers shall be filed by a member, such date being not less than four clear days before the date fixed for election; or if that day is a public holiday, the next succeeding day which is not a public holiday;

Explanation.—In this clause "public holiday" means any day which is a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881 (Act 26 of 1881), or any day which has been notified to be a holiday for the Government offices in the State.

(e) the date on which, the place at which and the hour when the nomination papers will be scrutinised; and

(f) the date on which, the place at which and the hours between which the polling will take place, if necessary.

(4) The managing committee shall prepare a list of the members or of the delegates who are, on the date of the notice referred to in sub-rule (3), qualified in accordance with the provisions of the Act, and the rules and the bye-laws

thereunder to vote at the election, and publish copies of such list by affixing them to the notice board at the head office of the society and all its branches, not less than ten days prior to the date fixed for election. The list shall specify the name of the eligible member or delegate, the name of his father (or her husband), the address of such member or delegate including the name of society, if any, he represents and his serial number in the members' register.

(5)(i) The nomination of a candidate for election shall be made in the form prescribed by the managing committee. The form shall, on application, be supplied to a member or to a delegate, free of cost.

(ii) Every nomination paper shall be signed by two members whose names are included in the list referred to in sub-rule (4). One of the members shall sign the form as proposer and the other as seconder for the nomination. The nomination paper shall also contain a declaration, signed by the candidate proposed for election, to the effect that he is willing to contest at the election.

(iii) Every nomination paper shall be presented in person or through authorised agent or by registered post if so permitted in the bye-laws to the Chairman of the society or any other officer duly authorised in this behalf by the managing committee of such society. If the Chairman himself is a candidate for election, the managing committee of the society shall authorise some other officer, who is not a candidate for election, to receive the nomination papers.

(iv)(a) The person who receives the nomination paper shall enter on the nomination paper its serial number, certify the date and hour at which the nomination paper is received by him and also immediately acknowledge receipt of the nomination paper.

(b) Nomination papers received after the date and hour fixed under sub-clause (d) of clause (ii) of sub-rule (3) shall be rejected.

(6)(i)(a) On the day following the date fixed for the receipt of nomination papers the managing committee of the society shall take up the scrutiny of the nomination papers at a special meeting convened for the purpose provided that such meeting of the managing committee shall be held even if there is no quorum:

Provided that the proposer and seconder of a member, whose name has been proposed for election, may be present at the time of scrutiny.

(b) The managing committee shall examine the nomination papers and shall decide all objections which may be made at time of scrutiny and may either on such objection or on its own motion after such summary enquiry, if any, as the committee thinks necessary, reject any nomination for valid reasons:

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder, or of any other particulars relating to the candidate or his proposer or seconder as entered in the list of members or of delegates referred to in sub-rule (4), if the identity of the candidate, proposer or seconder, as the case may be, is established beyond reasonable doubt.

(ii) The committee shall give all reasonable facilities to the contesting candidates or their representives to examine all the nomination papers for satisfying themselves about the correctness of their scrutiny.

(iii) The Managing Committee shall endorse on each nomination paper its decision accepting or rejecting the same, and if the nomination paper is rejected, shall record in writing a brief statement of its reasons for such rejection.

(7) The list of valid nominations, as decided by the Managing Committee, shall be published on the notice board of the society on the same day on which the scrutiny of the nomination papers is completed, but not later than forty-eight hours before the time of election.

(8) Any candidate may withdraw his candidature by notice in writing signed by him and delivered in person or through authorised agent at any time after the presentation of his nomination paper but before 5 p.m. on the day following the day on which the valid nominations are published under sub-rule (7) to the Chairman of the society or any other officer authorised for the purpose under clause (iii) of sub-rule (5). A notice of withdrawal of a candidature once given shall be final.

(9) If for any area or constituency for which election is to be held the number of candidates, in respect of whom valid nomination papers have been filed, does not exceed the number of candidates to be elected for that area or constituency, the candidates for whom valid nominations have been received shall be deemed to have been duly elected for the area or constituency, as the case may be, and the Presiding Officer shall make an announcement to this

effect at the commencement of the meeting convened for election. The names of such candidates shall be immediately thereafter published in the notice board of the society.

(10) If the number of candidates for any area or constituency exceeds the number to be elected, the election may be held either by ballot or by open vote as prescribed in sub-rule (4) of rule 28. The Presiding Officer shall arrange for taking a poll, if necessary, on the date fixed for the general meeting or on a subsequent date to which the meeting is adjourned, if necessary, and he may appoint one or more Polling Officers, as may be necessary, or may himself perform the functions of Polling Officers. The provisions in sub-rules (11) to (18) shall apply when the election is required to be held by ballot.

(11) The Presiding Officer shall provide the Polling Officer or Officers with the ballot papers, copy of the list of members or of delegates, referred to in sub-rule (4) and such other papers and articles as may be necessary for the conduct of the election.

(12) The ballot paper shall contain the names of the candidates, their symbols other than accredited symbols approved by the Election Commissioner of India, if so desired by the candidate and the seal of the society.

(13) No ballot paper shall be issued to a voter unless the Polling Officer is satisfied that the person concerned is the same as noted in the list of members or of delegates furnished to him.

(14) If owing to blindness or other physical infirmity, or illiteracy, a voter is unable to mark the ballot paper, the Polling Officer shall ascertain from him the candidate or candidates in whose favour he desires to vote and shall accordingly make the mark on his behalf openly.

(15) The counting of votes shall commence immediately after the polling is declared over by the Presiding Officer and no member shall be allowed to cast his vote after such declaration. Votes shall be counted by or under the direct supervision of the Presiding Officer. Each candidate and his authorised agent shall have a right to be present at the time of counting.

(16) (i) A ballot paper shall be rejected—

(a) if it bears any mark by which the member, who voted, can be identified; or

(b) if it does not bear the seal of the society; or

(c) if the mark indicating the vote there is placed in such manner as to make it doubtful to which particular candidate the vote has been cast.

(ii) The Presiding Officer shall be the authority competent to reject a ballot paper.

(17)(i) Soon after the counting of votes is over, the Presiding Officer shall prepare and certify a return setting forth—

(a) total number of ballot papers issued;

(b) the number of valid votes given to each candidate; and

(c) the number of ballot papers declared to be invalid or rejected.

(ii) On the basis of the return, the candidates who have secured the largest number of valid votes shall be declared elected at the general meeting and their names shall be immediately published on the notice board of the society under the signature of the Presiding Officer; and in case of equality of votes pulled by two or more candidates, lots shall be drawn in such manner as the Presiding Officer may fix, to determine the names of the successful candidate or candidates.

(18) The Chairman or any other officer of the society duly authorised by the managing committee in the event of the Chairman failing to attend shall immediately take custody of the ballot papers and shall preserve them for three months from the date of the poll. The ballot papers and other records relating to the election shall immediately, in presence of the candidates or their representatives as may be available, be secured in a container which shall be affixed with the seal of the society and of candidates who desire to affix their seals, if any. They shall, unless otherwise directed by the Registrar, be destroyed after the said period of three months, if no dispute relating to, or in connection with, that election is referred to the Registrar.

(19) The results of the election shall be immediately recorded in the minute book of the society and attested by the Presiding Officer.

(20) The Registrar may, in respect of any primary co-operative society coming within the purview of the rule, either on an application from the Managing Committee of such society or from one-third of the total number of its members or fifty, whichever is less, or on his own motion after an enquiry into the affairs of the society under section 84 or an inspection under section 82, by an order in writing recording reasons thereon, appoint any person as an Election Officer to conduct the election, if, in the opinion of the Registrar, such a course is necessary for the proper conduct of the election.

(21) In any apex or central society the Registrar may, by an order in writing, appoint any person as an election officer to conduct the election.

(22) Where an election officer is so appointed either under sub-rule (20) or sub-rule (21) all reference to Chairman, Presiding Officer or the Managing Committee, as the case may be, occurring in clause (iii) of sub-rule 5, clause (ii) of sub-rule (16) and sub-rules (6), (7), (8), (9), (10), (11), (15), (17), (18) and (19) shall be construed as reference to the election officer.

(23)(i) The election of Chairman, Vice-Chairman and other office-bearers of the committee shall be conducted by the Presiding Officer or by the Election Officer, as the case may be, at a meeting to be called by him within the period prescribed under sub-rule (5) of rule 28 and in the manner as may be laid down in the bye-laws of a society or in the absence of any provision in the bye-law in this regard in the manner as may be decided by the Presiding Officer or the Election Officer:

Provided that the Presiding Officer or the Election Officer, as the case may be, shall, before calling the meeting, ascertain from the appropriate authority whether such authority proposes to nominate any member on the Managing Committee of the society, and if the Presiding Officer or the Election Officer does not receive any reply to his aforesaid enquiry, within fifteen days from the date of such enquiry, he shall proceed with the election as provided in the rules:

Provided further that not less than seven clear days' notice in writing shall be given by registered post with acknowledgment due to the members of the newly-constituted Managing Committee for such a meeting.

(ii) As soon as the election is over, the result shall be immediately declared in the meeting, published in the notice board of the society and recorded in the minute book of the Managing Committee under the attestation of the Presiding Officer or the election officer, as the case may be.

30. **First managing committee.**—(1) Except where the first directors and the Chairman and the Vice-Chairman are named in the bye-laws or in the application for registration of a society, the first directors including the Chairman and the Vice-Chairman shall be appointed by the Registrar.

(2) The directors so appointed shall hold office till directors are elected by members at a general meeting:

Provided that any director appointed under sub-rule (1) may be removed by the Registrar before the expiry of his term of office, if the Registrar is, for reasons to be recorded by him in writing, of the opinion that the continuance in office of such director is not desirable in the interests of the society.

(3) Directors appointed under this rule may or may not be members of the society.

(4) If a vacancy occurs in the office of an appointed director, the vacancy shall be filled up by appointment.

(5) Where the first directors including the Chairman and the Vice-Chairman are named in the bye-laws, or in the application for registration of a society, a casual vacancy occurring in the office of such director shall be filled up by co-option by the remaining directors.

31. **Election and retirement of directors in a primary society other than a non-agricultural credit society.**—(1) The directors of a primary society other than a non-agricultural credit society shall retire annually from office and shall be eligible for re-election.

(2) The vacancies caused by the retirement of the directors shall be filled up by election at the general meeting at which they retire.

(3) If at any meeting at which an election of directors ought to be held in the place or places of all or any of the vacating directors be not filled up, election for filling up the place or places shall be held within three months from the date of such meeting and the vacating directors shall be deemed not to have vacated their offices till the directors required to be elected in their places have been duly elected.

32. **Election and retirement of directors in an Apex, Central or Primary non-agricultural Credit Society.**—(1) At every annual general meeting of an Apex Society, a Central Society or a primary non-agricultural credit society, one-third of the directors elected by the members shall retire from office and shall, subject to the provisions of section 23, be eligible for re-election.

(2) The vacancies caused by the retirement of directors under sub-rule (1) shall be filled up by election at the general meeting at which they retire.

(3) If at any meeting at which an election of directors ought to be held in place or places of all or any of the vacating directors be not filled up, election for filling up the place or places shall be held within three months from the date of such meeting and the vacating directors shall be deemed not to have vacated their offices till the directors required to be elected in their places have been duly elected.

33. **Qualifications of members of Managing Committee.**—Subject to the provisions of these rules, every member of a co-operative society above the age of 21 years shall be qualified to be elected or appointed as director:

Provided that in the case of a Students' Co-operative, a member below the age of 21 years may also be elected or appointed as a director.

34. **Nomination by a co-operative society of one of its members as its representative to another co-operative society.**—The Managing Committee of a co-operative society may, in a meeting with specific agenda, nominate a member of such society as its representative to another co-operative society to which the first named society is affiliated and may also recall such representative if a resolution is passed by the committee in that behalf at a meeting for which such an agenda item was given:

Provided that at the same meeting, where a resolution of such recall is made, there shall be a fresh nomination of another representative of such society, that no new representative shall be nominated under this rule until the representative previously nominated has been recalled, that no one shall be nominated as representative of a society if he is individually a member of the other society, and that in case of such recall and fresh nomination by an affiliated society in a single-member constituency, the freshly nominated representative shall automatically be a director of the other society.

35. **Cessation of membership of managing committee.**—A director shall cease to hold office—

(a) if he resigns his office, or

(b) if he is removed by the general meeting held in accordance with rule 36,

(c) where he has been chosen as, and is, a director of a society by virtue of his qualification of being—

(i) a member of that society, or

(ii) a member of any other society which is a member either of the society hereinbefore in this rule first referred to or of another society which, in its turn, is a member of the society hereinbefore in this rule first referred to,

if such membership of the said director or of any of the aforesaid societies linking up the said director with the society hereinbefore in this rule first referred to is discontinued for any of the reasons provided for in the Act, rules or bye-laws,

(d) if he becomes subject to any disqualification which debars him from seeking election as a director, or

(e) if he fails to attend six consecutive meetings of the Managing Committee.

The cessation of directorship shall be deemed to occur at, and be effective from, the time when the disability concerned referred to in this rule first arises.

36. **Removal, expulsion, etc. of the Chairman, directors and other officers.**—The Chairman of a society or any other officer elected under sub-rule (5) of rule 28 may be removed from his office by a resolution of a general meeting specially convened for the purpose.

37. **Notice of meeting.**—Notice of a meeting of the Managing Committee in respect of any society or class of societies shall be given in writing, subject to the provision of section 27(1), by the Secretary, or any officer performing the duties of Secretary, to every director specifying the place, date and hour of the meeting together with a statement of the business to be transacted thereat, not less than seven days before the date of the meeting. In case of urgency, the Chairman may convene a meeting of the Managing Committee with clear three days' notice:

Provided that any urgent business, not included in the statement accompanying the notice, may be brought up and considered with the consent of two-thirds of the directors present at the meeting.

38. **Meeting of Managing Committee.**—The Managing Committee shall meet for the transaction of the business of the society at least once in every two months; and unless the minutes are drawn up and duly signed by the Chairman immediately on the termination of the meeting, the minutes free from all alterations and corrections shall be drawn up and signed by the Chairman within 72 hours from the time when the meeting terminated.

39. **Voting at the meeting of Managing Committee.**—Every resolution at a meeting of the Managing Committee shall be decided by a majority of votes, and if the votes be equal, the Chairman shall have a second or casting vote.

40. **Chairman of meeting.**—The Chairman of a society shall preside over all meetings of the Managing Committee at which he is present. In the absence of the Chairman, the Vice-Chairman shall take the chair and in absence of the Vice-Chairman, one of the directors in the panel mentioned in sub-rule (5) of rule 28, in order of their names in the panel, shall be the Chairman of the meeting.

41. **Quorum of meeting.**—(1) Unless a larger proportion is provided in the bye-laws, the quorum at a meeting of the Managing Committee shall be one-third of the total number of directors subsisting on the date of issue of the notice for the meeting.

(2) No business shall be transacted at any meeting including an adjourned meeting of the Managing Committee unless there is a quorum at the time when the business of the meeting is scheduled to commence or within half-an-hour from the time appointed for the meeting, and a fresh notice in terms of rule 37 shall then be issued for holding the next meeting.

42. **Requisition meeting.**—(1) One-third of the directors may requisition a special meeting of the Managing Committee by giving seven clear days' notice.

(2) The requisition shall specify the object of the meeting and shall be signed by the requisitionists and shall be delivered at the office of the society.

(3) If the Secretary or anybody performing the duties of the Secretary does not convene the meeting within seven days from the date of receipt of the requisition, a notice signed by the requisitionists specifying the object and appointing the date, time and place of the meeting shall be sent to all the directors. No separate notice as per rule 37 shall be necesary for such meetings to be held at the office of the society.

(4) At such special meeting no business other than that specified in the requisition shall be transacted, and if there is no quorum within half-an-hour from the time appointed, the meeting shall not be adjourned but dissolved.

43. **Powers of the Managing Committee.**—The Managing Committee of a co-operative society shall exercise all or any of the following powers as may be provided in the bye-laws—

(a) to admit new members;

(b) to fine, suspend, remove or expel existing members by the votes of two-thirds of the members of the Managing Committee present and voting at a meeting:

Provided that no such action shall be taken by the Managing Committee without giving the member concerned an opportunity of explaining his conduct for which he is to be fined, suspended, removed or expelled;

(c) to raise funds;

(d) to invest funds;

(e) to empower any employee, other than those mentioned in clause (zl) of section 2, to give direction in regard to the business of the society;

(f) to appoint, discharge or to dismiss or to remove salaried or non-salaried officers and other employees of the society, to define the duties and responsibilities of the officers subject to the provision of rule 53, or to determine the securities to be furnished by the officers and other employees:

Provided that no officer or employee of a co-operative society can be dismissed or removed from service of such society except after an enquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges, and where it is proposed, after such enquiry, to dismiss or remove him, until he has been given a reasonable opportunity of making representations on the penalty proposed:

Provided further that in case of urgency, the Chief Executive Officer of the society, by whatever designation he may be called, who is empowered to settle the duties of other employees, may also reallocate the duties and responsibilities of the officers of the society temporarily, as the circumstances demand, in-between the two meetings of the Managing Committee, but if such reallocation is required to be continued for a period of more than thirty days, the Chief Executive Officer shall obtain the approval of the Chairman in respect thereof, and the fact of such reallocation shall also be brought to the notice of the Managing Committee at its meeting immediately following the date of such reallocation;

(g) to compound or abandon or delay the enforcement of any debt or demand of the society, with the prior permission of the Registrar, or to institute, defend or compromise legal proceedings;

(h) to dispose of application for shares and to issue shares against rebate as declared by the Managing Committee, subject to directions given by the general meeting from time to time;

(i) to dispose of applications for loans and to determine the security to be taken; and

(j) to appoint sub-committees as may be deemed necessary from time to time and to confer such powers and impose such duties upon such sub-committees as may be deemed proper.

44. **Duties of the Managing Committee.**—The Managing Committee shall observe, in all their transactions, the provisions of the Act, rules and bye-laws and shall cause to perform the following duties, namely,—

(a) to receive and disburse money;

(b) to maintain true accounts of money received and expended, and accounts of the assets and liabilities;

(c) to prepare for submission to the annual general meeting—

(i) an annual report on the working of the society;

(ii) an annual statement of accounts which shall include—

(a) trading account,

(b) profit and loss account,

(c) balance sheet, and

(d) profit and loss appropriation account;

(iii) a statement of loans and defaults as required in terms of section 21(1)(e);

(d) to prepare the statements of accounts required at audit and to place them along with relevant vouchers and other connected papers before the auditors;

(e) to prepare and submit all statements and returns, required by the Registrar in such forms as he may direct;

(f) to enter accounts of the society regularly and punctually in proper books;

(g) to maintain a register of members up-to-date;

(h) to facilitate the inspection of books by those entitled to inspect them;

(i) to convene special general meetings, when necessary, and general meetings on requisition;

(j) to convene the annual general meeting in due time;

(k) to watch that the loans and advances are applied to the purposes for which they are made and that they are punctually repaid;

(l) to examine and take prompt action in cases of all arrears and defaults in repayment of loans and advances; and

(m) to perform such other duties as may be entrusted by the general meeting.

45. **Powers and duties of the Chairman and Vice-Chairman of the society.**—Unless otherwise provided in the Act, the rules or the bye-laws the Chairman or in his absence, the Vice-Chairman, shall for the transaction of the business of the society in cases of urgency exercise all powers and perform all duties required to be exercised and performed under the Act, the rules or the bye-laws by the managing committee except the power of sanctioning loans and ex gratia payments. The Chairman or in his absence the Vice-Chairman shall have the power to call for any record of the society or any report from the Executive Officer to satisfy himself that the affairs of the society are being managed in accordance with the resolutions of the managing committee:

Provided that the Chairman or the Vice-Chairman, as the case may be, shall not act in opposition to, or in contravention of, any order given or decision taken by the Managing Committee at its meeting.

46. **Orders of Chairman and Vice-Chairman to be placed before meeting.**—All orders passed and all acts done by the Chairman or the Vice-Chairman in the absence of the Chairman in exercise of his powers and performance of his duties under rule 45 shall be placed for confirmation before the Managing Committee in the meeting immediately following.

47. **Government officer on deputation to be called Executive Officer.**—(1) A Government officer, when deputed to the service of a co-operative society under section 24, shall be called the Executive Officer of the society.

(2) Subject to any condition to the contrary that the State Government may in any particular case think fit to impose, the Executive Officer shall be under the general control of the Managing Committee of the society and shall, in the conduct of the business of the society, exercise the following powers, namely:—

(i) have control over the salaried officers and employees of the society with power to sanction leave and to impose any punishment upon, or to suspend, any member thereof in terms of clause (h) of sub-rule (2) of rule 51 and clause (i) of sub-rule (2) of rule 51 respectively;

(ii) institute, defend and conduct legal proceedings in Law Courts and other places and enter into compromise or arbitration with creditors and debtors of the society.

48. **Duties of the Executive Officer.**—(1) The Executive Officer shall perform or cause to perform the following duties, namely:—

(i)(a) receive all moneys on behalf of the society and issue receipts, other than receipts likely to create fresh obligations on the part of the society, in effectual discharge of the moneys stated to have been received therein,

(b) operate accounts of the society lying with banks, singly up to such limits and with such other officers of the society beyond that limit as the Managing Committee directs, and

(c) draw, accept, make, endorse or negotiate all bills of exchange, pronotes, debentures, securities and other documents standing in the name of, or held by, the society:

Provided that at the branches of the society, if any, where there is no Executive Officer, duties as per sub-clauses (b) and (c) will be performed by such officer or officers as may be authorised by the Managing Committee;

(ii) pay all costs of management and working expenses out of the funds of the society, e.g., salaries of the staff, travelling and other contingent expenses to be incurred in the working of the society;

(iii) deposit all moneys received on behalf of the society and securities and other effects as prescribed under rule 97;

(iv) maintain proper and accurate records and accounts of the working of the society;

(v) be responsible for proper custody of stock and maintenance of stock accounts;

(vi) call general meetings and meetings of the Managing Committee of the society, where there is no Secretary:

Provided that where there is a Secretary and such meetings are not convened by the Secretary according to the provisions of the Act and the rules, the Executive Officer shall call the meetings as may be necessary for the proper conduct of the business of the society;

(vii) remain always present at all meetings and shall produce all relevant papers required at such meetings and sign, along with the Chairman, the minutes of such meetings; and

(viii) place, from time to time, before the Chairman, or such other authority as the Managing Committee may direct, statement of receipts and disbursements for inspection, examination or approval, as the case may be.

(2) Notwithstanding anything contained in rule 43, rule 47 or sub-rule (1) of rule 48, where by reason of an order of a Court or for any other reason the Managing Committee of a co-operative society is unable to exercise the powers conferred by these rules, or its bye-laws, the Executive Officer shall, during the period of such inability, exercise such powers of the Managing Committee.

49. **Procedure in case of difference of opinion.**—In the event of any difference of opinion between the Executive Officer and the Managing Committee of the society with regard to any matter concerning the affairs of the society, not expressly covered by the Act, the Rules and the bye-laws, the Executive Officer may refer the matter to the Registrar for his decision, and the decision of the Registrar shall be final.

50. **Indemnification of Executive Officer.**—(1) The Executive Officer shall be indemnified out of the funds of the co-operative society for all costs, charges, travelling and other expenses incurred by him in the conduct of the society's business or in the discharge of his duties.

(2) The society shall make such contribution towards the cost of the deputation of the officer as the State Government may direct.

51. **Managing Director or Secretary of an Apex Society and Manager of a Central Co-operative Bank or Co-operative Land Development Bank.**—(1) The Managing Committee of an apex society shall appoint the Managing Director or the Secretary of such society as its Chief Executive Officer, and the Managing Committee of a Central Co-operative Bank or a Co-operative Land Development Bank shall appoint the Manager of such bank as its Chief Executive Officer:

Provided that for the apex societies dealing with agricultural credit or agricultural marketing the Chief Executive Officer shall always be designated as Managing Director.

(2) The Chie Executive Officer referred to in sub-rule (1) shall, subject to the general control of the Chairman of the society, have power—

(a) to institute or defend legal proceedings by, or on behalf of, the apex society, the Central Co-operative Bank, or the Co-operative Land Development Bank, as the case may be,

(b) to enter into compromise or refer any dispute to arbitration for or on behalf of such society or bank,

(c) for and on behalf of such society or bank,—

(i) to operate its bank account up to the limit, if any, prescribed by the Managing Committee:

Provided that in the branches of the society, if any, the bank accounts shall be operated by such officer or officers as may be authorised by the Managing Committee,

(ii) buy, sell, pledge, endorse or transfer promissory notes, Government and other securities standing in the name of, or held by, such society or bank subject to the approval of the Managing Committee, and

(iii) to accept payments and issue receipts therefor,

(d) to delegate any of his powers to any officer of such society or bank with the approval of the Managing Committee thereof or of the Chairman, in case of emergency,

(e) where there is no elected Secretary, to call general and special general meetings of such society or bank and the meetings of the Managing Committee thereof, and to attend such meetings without any power of voting,

(f) to exercise supervision and control over the salaried officers and employees of such society or bank, and the power of sanctioning leave to them,

(g) to transfer the employees of such society or bank from one place to another or from one post to another of the same station with intimation to the Chairman at the earliest opportunity,

(h) to impose upon any employee of such society or bank the following punishments, namely:—

(i) fine,

(ii) censure,

(iii) withholding of increments or promotions,

(iv) recovery from pay of the whole or part of any pecuniary loss caused to such society or bank by negligence or breach of orders,

(v) reduction to a lower stage in the time scale of pay for a specified period with further direction as to whether or not the employee will earn increments of pay during the period of such reduction,

(vi) reduction to a lower time scale of pay, grade, post or service:

Provided that no such punishment shall be imposed on any employee—

(a) except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges, and where it is proposed, after such inquiry, to impose on him any such penalty, until he has been given a reasonable opportunity of making representation on the penalty proposed, and

(b) without the approval of the Managing Committee, to place an employee of such society or bank under suspension—

(i) where the disciplinary proceeding or departmental inquiry against him is contemplated or pending, or

(ii) where a case against him in respect of any criminal offence is under investigation or trial:

Provided that the Chief Executive Officer shall forthwith report to the Managing Committee the circumstances in which the order of suspension was made.

(3) The Chief Executive Officer referred to in sub-rule (1) shall exercise such other poers which the Managing Committee of such society or bank may, from time to time, confer on him.

(4) The manager, referred to in sub-rule (1), shall also—

(a) have, in his custody, all the securities and other valuable documents of a Central Co-operative Bank or a Co-operative Land Development Bank, as the case may be,

(b) scrutinise and examine all applications for loan and place them with his comments before the Managing Committee of such bank for final disposal,

(c) in the first week of each month, review the progress made in the collections of instalments of outstanding loans from members in the preceding month and submit a report in respect thereof to the Chairman and before the next meeting of the Managing Committee,

(d) cause the account books and other records and registers, required to be kept under the Act, rules and bye-laws, to be maintained regularly and properly and hold inspection in respect thereof from time to time,

(e) from time to time, place before the Chairman, the Managing Committee or any other committee of such bank, as the Managing Committee may direct, statement of up-to-date receipts and disbursements, for examination,

(f) do all other acts that are necessary for carrying on generally the day-to-day administration of such bank, and

(g) perform any other duty which the Managing Committee may assign to him from time to time.

(5) The powers conferred and the duties imposed on the Chief Executive Officer under sub-rule (2), sub-rule (3) and sub-rule (4) may be conferred and imposed by the Managing Committee upon any other officer of such bank—

(a) during the period of absence of the manager from duty, and

(b) with the prior approval of the Registrar, during any other period.

(6) When a Government Officer is deputed, under section 24 of the West Bengal Co-operative Societies Act, 1973, to the service of such society or bank referred to in sub-rule (1), the Manager or any officer of such society or bank, during the period of the aforesaid deputation of such Government servant, shall not, notwithstanding anything contained in sub-rule (2), sub-rule (3), sub-rule (4) and sub-rule (5), exercise any power or perform any duty which may be exercised or performed by such Government Officer under these rules.

CHAPTER IV

Duties and obligations of Co-operative Societies

52. **Registration of address of Co-operative Society.**—(1) Every co-operative society shall state in the bye-laws its address mentioning the place of business, post office, police-station and district.

(2) A change of address of a society may be made by a resolution of the Managing Committee and such change shall be reported to the financing bank, if any, and to the Registrar for record in the form set forth in the schedule.

53. **Minimum paid staff to be employed by a co-operative society, their respective essential qualifications and procedure of their employment, and the conditions of their service.**—(1)(a) Every co-operative society shall, from time to time, determine at a meeting of the Managing Committee the minimum number of paid staff required for its business.

(b) Every such society shall fill up fifty per cent. of such posts (excluding those of grade IV staff) of each category or class by promotion from officers or staff in the lower rank, as the case may be.

(c) The remaining fifty per cent. of such posts (excluding those of grade IV staff) of each category or class of such society shall be filled up—

(i) in case of the apex society, by the Managing Committee of such society by direct recruitment, and

(ii) in case of any other society, by direct recruitment by the apex or the central society to which such society is affiliated.

(d) The apex or the central society shall introduce a training scheme under which candidates with required qualifications, after selection, may be trained under the supervision of any co-operative institution for at least one year to be absorbed, subsequently after successful completion of training, as direct recruits in the services of the affiliated societies, and at least twenty-five

per cent. of direct recruits for each category or class of posts of each such society shall be filled up by such trainees who shall, during their training period, receive, as stipend, half of the minimum basic pay of the post to which they are eligible for appointment.

(e) The minimum paid staff of a society with a working capital or annual transaction of rupees one lakh or above shall include one paid Secretary or one paid Manager, or one paid officer with any other designation competent to discharge the functions of a Secretary or a Manager.

(f) The essential qualifications for appointment to the post of an officer are,—

(a) in case of an apex society,—

(i) a bachelor's degree of any recognised university, and

(ii) a pass certificate in senior co-operative officers' training course at National Institute, Poona, or equivalent for Class I officer, and a pass certificate in higher diploma course in co-operation from a co-operative training college, if so required by the managing committee, for others:

Provided that in case of a specially qualified candidate it may be sufficient if the candidate acquires qualification referred to at (ii) above within two years from the date of his appointment on probation,

(b) in case of a central society,—

(i) a bachelor's degree of any recognised university, and

(ii) a pass certificate in higher diploma course in co-operation from a co-operative training college or equivalent:

Provided that in case of a specially qualified candidate it may be sufficient if the candidate acquires qualification referred to at (ii) above within two years from the date of his appointment on probation,

(c) in case of a primary society,—

(i) school final certificate,

(ii) successful completion of a training course of a co-operative training centre, and

(iii) a special training in co-operation, if insisted on by the society concerned:

Provided that in case of a specially qualified candidate it may be sufficient if the candidate acquires qualification referred to at (ii) and (iii) above within two years from the date of his appointment on probation.

(2) The essential qualifications for appointment of accountant in the service of a co-operative society shall be—

(a) a degree in commerce of a recognised university, and

(b) successful completion of a training course, at intermediate level, of a co-operative training institution.

(3) The essential qualifications for appointment as assistant accountant, cashier or any other employee excluding grade IV staff in the service of a co-operative society shall be—

(a) school final certificate, and

(b) successful completion of a training (at junior level) in any co-operative institution.

(4) The essential qualifications for appointment as grade IV staff of a co-operative society is education up to class VIII standard of a high school.

(5) All posts in grade IV staff of a co-operative society shall be filled up by such society, preference being given to local candidates.

(6) Where in the case of any existing employee of any co-operative society the minimum qualifications prescribed in this rule for this post are not satisfied, he shall be retained in the service of such society, subject to his successful completion, within three years from the date of these rules coming into force, of a suitable training course in any co-operative institution, as may be determined by the Managing Committee.

(7) The conditions of service of the employees of apex societies and central co-operative banks shall, subject to the terms of specific contract, enforcible by law, statutory Acts and the rules of the State or the Central Government, be as enunciated in the appendix to this Chapter; and the State Government may, by a general or special order, extend the same to any other co-operative society or class of societies as and when deemed proper.

54. **Minimum salaried officers and employees to be employed by large co-operative societies.**—Subject to the provisions of rule 53, the minimum paid staff for a central bank or any other society with a working capital or annual transactions of rupees ten lakhs or above shall be—

(a) one secretary or a manager,

(b) one accountant,

(c) one cashier, and

(d) in case of an apex society, inspector or inspectors as may be necessary:

Provided that there shall be no election of secretary by the Managing Committee of a society which has in its staff a paid secretary.

55. **Books of account.**—Every co-operative society shall keep at the registered office and at its branches, if any, proper books of accounts with respect to—

(a) all sums of money received and expended by the society and of the matters in respect of which the receipt or expenditure takes place;

(b) all sales and purchases of goods by the society;

(c) the assets and liabilities of the society;

and shall maintain corrected up-to-date such account books and subsidiary ledgers and in such form as the Registrar may direct.

56. **Books and Register.**—Every co-operative society shall maintain such books and registers as may be necessary for proper conduct of its business and shall, in particular, maintain corrected up-to-date—

(i) minute books recording the proceedings of the general meetings and the meetings of the Managing Committee;

(ii) register of members and their nominees in the form set forth in the schedule;

(iii) register of affiliated societies, if any, in the form set forth in the schedule;

(iv) register of directors in the form set forth in the schedule;

(v) share ledger;

(vi) ledger of deposits and other borrowings, if any;

(vii) cash book, showing daily receipts and expenditure and the balance at the end of each day;

(viii) receipt book containing forms in duplicate, (one form to be issued for money received and the other to be retained by the society);

(ix) voucher file (numbered serially) containing all vouchers for contingent and other expenditure incurred by the society;

(x) in the case of societies issuing loans—loan ledger, showing the number and date of disbursement of each loan issued to members, the amount of loan, the purpose for which it is granted and the date or dates of repayment, distinguishing principal and interest;

(xi) in the case of a society with unlimited liability—register containing property and debt statements of members showing the assets and liabilities of each individual member on the date of his admission with full details of property including the survey number of the plots (the statement to be revised as often as necessary and in any case, at least once in three years);

(xii) in case of a society with working capital exceeding one lakh of rupees, general ledger showing receipts, disbursements and the outstandings under various heads from day to day;

(xiii) registers showing sales and purchases of goods by the society, where applicable;

(xiv) such other books and registers, and in such form, as the Register may direct.

57. **Affiliation of societies with the West Bengal State Co-operative Union or District Co-operative Unions.**—(1) All apex societies, district co-operative unions, co-operative societies having their areas of operation extending over more than one district, and unless otherwise directed by the Registrar, all the societies coming under the purview of the Multi-unit Co-operative Societies Act 1942 and the urban credit societies having working capital of rupees five lakhs or above shall, on payment of such annual membership fee as specified in the schedule below, become members of the State co-operative union within three months from the date from which these rules come into force, and their membership shall, in the first instance, continue for two years from the respective dates of their becoming members of the said union and thereafter be renewed annually.

The Schedule

The annual fee to be paid by the respective union or society for membership of the State co-operative union—

Name of union or society with annual membership fee

(a) Apex society—Rs. 1,500.

(b) District co-operative union—Rs. 500.

(c) Society having area of operation extending over more than one district—Rs. 300.

(d) Societies coming under the Multi-unit Co-operative Societies Act 1942 —Rs. 1,500.

(e) Urban credit society referred to in this sub-rule—Rs. 1,500.

(2) All societies functioning within the area of operation of a district co-operative union, not mentioned in sub-rule (1), shall, on payment of such annual membership fee as specified in the schedule below, become members of the said union, within three months from the date from which these rules come into force, and their membership shall, in the first instance, continue for two years from the respective dates of their becoming members of the said union, and thereafter be renewed annually.

The Schedule

The annual fee to be paid by a bank or a society for membership of the district co-operative union—

Name of bank or society with annual membership fee

(a)Central Co-operative Bank—Rs. 1,000.

(b) Other Central Societies—Rs. 200.

(c) Primary Land Development Bank—Rs. 200.

(d) Primary Marketing Society—Rs. 75.

(e) Services or employees' credit society having working capital of less than Rs. 1 lakh—Rs. 25.

(f) Services or employees' credit society having working capital of Rs. 1 lakh or above—Rs. 50.

(g) Societies of other categories—Rs. 12 each.

(3) For individual members, the annual membership fee shall be rupees twenty for the State Union and rupees ten for any District Union.

58. **Annual Return.**—(1) Every co-operative society shall send to the Registrar such statements and returns and in such form as he may from time to time direct and shall send, at the close of each co-operative year within four months or such time as the Registrar may direct, an annual return in the form set forth in the schedule consisting of—

(a) a cash account;

(b) a profit and loss account;

(c) a balance sheet;

(d) a trading account where applicable; and

(e) a profit and loss appropriation account.

59. **Additional Returns.**—(1) In addition to the annual returns prescribed in rule 58, the apex societies, the Central Co-operative Banks and such other societies shall, if the Registrar so directs, furnish a quarterly return in the form set forth in the schedule, showing their working and transactions, and such other returns as the Registrar, may, from time to time, require.

(2) The returns and statements required by sub-rule (1) shall be furnished within three months from the close of the period to which they relate or within such further time as may be allowed by the Registrar.

60. **Persons who will maintain accounts, books, etc.**—The Managing Committee shall specify which of the officers and employees of a society shall—

(a) keep books of accounts;

(b) keep other books and register; and

(c) prepare returns and statements:

Provided that a person charged with the keeping of accounts shall not be in charge of cash.

61. **Custody of accounts, books and records.**—(1) The books and records of a society shall be kept in the custody of the Secretary or any other person exercising the powers or performing the duties of the Secretary.

(2) No member or employee of a society shall, by any act or omission, prevent the Secretary or any other person exercising the powers or performing the duties of the Secretary from having custody of the books and records of the society.

(3) Any member or employee of a society who commits a breach of sub-rule (2) shall, on conviction by a court, be punishable with fine which may extend to fifty rupees and, where the breach is a continuing one, with further fine which may extend to ten rupees for every day after the first during which the breach continues subsequent to such conviction.

62. **Preservation and destruction of books, records, etc.**—The books and records of a society shall be preserved for such period as is set forth in the schedule or as may from time to time be directed by the Registrar.

63. **Preparation of statements, etc., at the expense of society and recovery of such cost.**—(1) If a co-operative society fails to send to the Registrar within the time allowed any statement or return required by the Act or the rules, the Registrar may cause such statement or return to be prepared by employing such staff as he may deem to be necessary and may assess upon the society the cost of such staff.

(2) The cost assessed under sub-rule (1) shall be recoverable from the society by the Collector as a public demand upon requisition by the Registrar, and the society may recover such cost from the person or persons responsible for the neglect.

64. **Documents to be kept open to inspection.**—In addition to the documents mentioned in sub-section (4) of section 29, every co-operative society shall keep open to inspection a copy of the latest audited balance sheet and the register of directors.

65. **Publication of balance sheet.**—(1) Every co-operative society shall publish its audited balance sheet within one month from the date on which it is adopted by the general meeting by displaying it in any conspicuous place in the registered office of the society and in every branch office where the business of the society is carried on.

(2) The Managing Committee of a society shall in every co-operative year lay before a general meeting of the society a balance sheet made up to the date not more than three months prior to the date of the meeting or as on the last day of the quarter preceding.

66. **Borrowings.**—(1) The maximum amount which a society may borrow shall be determined annually at a general meeting of the society, and no society shall borrow beyond the maximum amount so determined and in force for the time being:

Provided that the Registrar may at any time revise the limit fixed by the general meeting.

(2) Save as is provided in rule 67, no society shall incur liabilities from persons who are not members in excess of a maximum to be fixed from time to time in a general meeting and to be approved by the Registrar.

67. **Restriction on borrowings of primary agricultural credit society.**—A primary agricultural credit society which is a member of a central bank shall not borrow by way of loans or deposits from any non-member without the sanction of the central bank, and where the society is not a member of any central bank, without the sanction of the Registrar.

68. **Restriction on borrowings of limited liability society.**—No society with limited liability shall, by accepting deposits or loans or in any other way, incur liabilities exceeding ten times the sum of the paid up share capital and the reserve fund for the time being separately invested outside the business of the society:

Provided that—

(a) the Central Co-operative Land Development Bank, or the State Co-operative Bank or a Central Co-operative Bank for the purpose of financing Land Development Banks, or a Land Development Bank for the purpose of financing its members, may incur liabilities by floating debentures, accepting deposits or in any other way to the extent of twenty times the value of paid up share capital and the reserve fund for the time being separately invested;

(b) with the permission of the Registrar and under such conditions as he may impose, on agricultural society or a financing bank may incur liabilities for the purpose of advancing loans to members for production of crops and for financing the disposal of produce, repayable within a period of twelve months, irrespective of the amount of its paid-up share capital or reserve fund separately invested outside the business;

(c) with the permission of the Registrar and under such conditions as he may impose, the Central Co-operative Land Development Bank or the State Co-operative Bank or a Central Co-operative Bank, or a Central or a Primary Society may incur liabilities, irrespective of the amount of its paid-up share capital and reserve fund separately invested outside the business, for the purpose of carrying on by itself or for the purposes of providing loans for carrying on by its members, the production, marketing and processing of any agricultural or industrial commodity;

(d) with the permission of the Registrar and under such conditions as he may impose, a co-operative society may incur liabilities by way of loan or deposits from another co-operative society, repayable within a period of twelve months irrespective of the amount of its paid-up share capital and reserve fund separately invested, if such liabilities are incurred on pledge or hypothecation of marketable security or goods or both, and the amount of such liabilities does not exceed 80 per cent. of the market value of such security or goods or both, offered for pledge or hypothecation;

(e) only in such districts or part thereof, where Small Farmers Development Agency and Marginal Farmers and Agricultural Labourers Development Agency have been set up and with the permission of the Registrar and under such conditions as he may impose, a co-operative society may, for the purpose of financing its agriculturist-members, incur liabilities to the extent of 20 times the sum of the paid-up share capital and the reserve fund, for the time being separately invested outside the business of the society;

(f) with the permission of the Registrar and under such conditions as he may impose, a co-operative society composed solely of displaced persons and recommended by the Refugee Rehabilitation Commissioner, West Bengal, may incur liabilities irrespective of its paid-up share capital and reserve fund separately invested.

69. **Fluid resources or liquid cover.**—(1) A credit society other than the Co-operative Banks coming within the purview of the Banking Regulation Act,

1949 (Act 10 of 1949), if so required by the Registrar, shall keep a minimum liquid cover against deposits held by it according to the following scale:—

(i) 40 per cent. of deposits at call or on current account and cash credits and overdrafts sanctioned but not drawn;

Explanation.—Deposits matured but not drawn may be treated as deposits at call for the purpose of calculation of fluid resources.

(ii) 25 per cent. of savings deposits;

(iii) 25 per cent. of fixed deposits maturing within the next three months; and

(iv) 12½ per cent. of fixed deposits maturing after next three months but within the next six months:

Provided that when the reserve fund of a society is invested in a Co-operative Bank for an indefinite period (e.g. when it cannot be drawn except with the permission of the Registrar), no fluid resources need be maintained by the Bank concerned against such investment:

Provided further that the co-operative banks coming within the purview of the Banking Regulation Act, 1949 (Act 10 of 1949, shall maintain fluid resources or liquid cover according to the provisions of the said Act.

Explanation.—(1) "Liquid cover" means any assets which can be converted into ready cash at once and which are maintained in one or more of the following forms:—

(i) cash in hand, or in banks or with bankers approved by the Registrar;

(ii) post office savings bank account;

(iii) Government securities including Post Office Cash Certificate or National Savings Certificates; and

(iv) other investments of liquid nature in outside concerns approved by the Registrar;

Explanation.—(2) The extent to which the assets in the above forms may be utilised for the purpose of calculation of fluid resources shall be as follows:

(i) 90 per cent. of the market value of Government securities including Postal Cash Certificates or National Savings Certificates;

(ii) 100 per cent. of cash on hand, balance with banks and post office savings bank;

(iii) 80 per cent. of the market value of the debentures of land development banks and also of other trustee securities such as municipal loans; and

(iv) 80 per cent. of the fixed deposits with other banks approved by the Registrar.

(2) Under special circumstances the Managing Committee may with the approval of the Registrar decrease the proportions of the liquid cover as mentioned in sub-rule (1).

70. **Conditions for the guarantee of debentures by Government.**—The issue of debentures under section 33 shall be subject to the following conditions, namely:—

(a) that such debentures are secured by mortgages held by the society and assigned to the trustee; and

(b) that the total amount payable in respect of the debentures does not exceed two-thirds of the total value of the mortgages held by the society and assigned to the trustee.

71. **Financial assistance by the State Government.**—(1) The State Government may grant loans to, take shares in, or give any other financial assistance to, any co-operative society which makes an application in this behalf, for any of the following purposes, namely:—

(a) facilitating the production of commodities or disposal thereof by the members;

(b) conducting and developing agriculture or industry undertaken by a society;

(c) redemption of prior debts of members, purchase and improvement of lands by members, or construction of any project for providing irrigation facilities for the benefit of the members;

(d) construction of dwelling houses by the society or by its members;

(e) repayment of money previously borrowed by a society in accordance with its bye-laws;

(f) maintenance of staff for efficient management of the society; or

(g) recouping any loss in part or in whole sustained due to circumstances over which the society had no control; or

(h) any other purpose as the State Government may deem proper.

(2) The financial assistance granted to a co-operative society under sub-rule (1) shall be subject to such terms and conditions as the State Government may lay down.

72. **Application for loan.**—(1) An application for loan shall be in such form as may be required by the Managing Committee and shall state the purpose for which the loan is required.

(2) A member applying for a loan shall make such payment as may be required by the Managing Committee.

(3) A member of a primary society applying for loan shall furnish a full statement of his—

(i) property and debts;

(ii) annual income;

(iii) annual expenditure including instalment of principal and interest on prior debts; and

(iv) surplus available for repayment of the loan applied for.

73. **Security for loan.**—For every loan a member shall furnish such security as may be required under the bye-laws or by the Managing Committee.

74. **Period of repayment.**—(1) Subject to sub-rule (2), the period of repayment of loan shall be such as may be provided in the bye-laws.

(2) Except on such condition as the Registrar may lay down, every loan which is granted to a member of a primary credit society other than a land development bank after the commencement of these rules shall be repayable within a period not exceeding five years.

(3) The instalment for the repayment of a loan shall not be in excess of the annual surplus income of the applicant estimated by the Managing Committee under clause (iv) or sub-rule (3) of rule 72.

(4) No extension of the period for which a loan is advanced shall be granted except on sufficient cause shown and on the application of the borrower and with the consent of the sureties or guaranters, if any.

75. **Maximum and normal credit.**—The Managing Committe of a co-operative society shall determine the maximum or normal credit of its members in such manner as it thinks fit:

Provided that—

(a) in a primary non-agricultural credit society, the maximum or normal credit of a member shall be determined after taking into consiedration his assets, liabilities and the surplus income over expenditure; in fixing the maximum credit regard shall be had to the provisions of sub-rule (3) of rule 74; and

(b) unless otherwise directed by the Registrar, in a primary agricultural credit society other than a co-operative land development bank, the maximum credit limit of a member shall not exceed the amount required by him to cultivate the total lands to be cultivated by him according to his production plan and the amount required by him to maintain his family during the cultivation season.

76. **Restriction on issue of loan.**—In any co-operative society, in which the liability of the members is limited by shares, no loan shall be granted to a member exceeding ten times the amount of share capital paid up by him:

Provided that—

(a) the Central Co-operative Land Development Bank, the State Co-operative Bank or a Central Co-operative Bank may grant loans to a Co-operative Land Development Bank up to twenty times the amount of share capital paid up by the land development bank;

(b) a land development bank may grant loans to its members up to twenty times the amount of share capital paid up by a member;

(c) the State Co-operative Bank may advance loans to a society engaged in the purchase and production and disposal of goods of its members in excess of ten times the share capital paid up by such society;

(d) with permission of the Registrar and under such conditions as he may impose, the State Co-operative Bank or any other financing bank may grant loans to its member-societies up to twenty times the amount of share capital paid up by the member-societies;

(e) with the permission of the Registrar and under such conditions as he may impose, an agricultural society may grant loans to its members, repayable within a period of twelve months, for facilitating production or disposal of crop, irrespective of the amount or the share capital paid up by such member;

(f) with the permission of the Registrar and under such conditions as he may impose, the State Co-operative Bank or any other co-operative bank may grant loans to its members against pledge or hypothecation of marketable security or goods or both up to a maximum limit of 80 per centum of the market value of such security or goods or both or against the guarantee of employer of the members of the society concerned, irrespective of the amount of share capital paid up by such member;

(g) with the permission of the Registrar and under such conditions as he may impose, a co-operative society composed solely of displaced persons and recommended by the Refugee Relief and Rehabilitation Commissioner, West Bengal, may grant loans to its members irrespective of the amount of share capital paid up by such members;

(h) only in such districts or part thereof where small farmers' development agency and marginal farmers' and agricultural labourers' development agency have been set up and with the permission of the Registrar and under such conditions as he may impose, a co-operative society may grant loans to its agriculturist members up to twenty times the amount of share capital paid up by such members.

77. **Procedure for prohibiting transactions on mortgage of immovable property.**—(1) When it appears to the State Government that the lending of money on the mortgage of immovable property by any society or class of societies should be prohibited or restricted, it shall publish a draft order in the "Calcutta Gazette", prohibiting or restricting such transactions.

(2) The copies of such draft order shall be sent to the society or class of societies concerned.

(3) The order so published shall not take effect until thirty days have elapsed since the date of publication of the order in the "Calcutta Gazette" and until the State Government have considered the objections, if any, received within fifteen days from the date of publication of the order.

(4) After consideration of the objections, if any, the State Government may withdraw the order or republish it with or without modifications as it thinks fit, and on such re-publication the order shall become final and binding on the society or class of societies mentioned in the order.

APPENDIX TO CHAPTER IV

Conditions of Service

[See rule 53]

1. **Conditions for appointment.**—(a) No person shall be eligible for being appointed to any post under any co-operative society unless he possesses the qualifications prescribed in rule 53:

Provided that this rule shall not apply to the employees who are already in the service or are deputed by the State Government.

(b) If the Managing Committee of any society decides to enhance the qualifications or scale of pay of any post in the interest of the business of the society that shall, subject to the approval of the Registrar, prevail, but the present incumbent of the post concerned shall be absorbed in another post in the same scale of pay as was enjoyed by the incumbent concerned at the time of his absorption.

(c) No person who has not attained the age of 18 years shall be eligible for appointment to any post under any co-operative society.

No person over the age of 45 years shall be directly appointed to any post of grades I and II; and no person over the age of 30 years shall be appointed to any post of grade III and grade IV provided that in case of Scheduled Castes and Scheduled Tribes candidates the maximum age for direct appointment to grade III or grade IV posts shall be 35 years and these restrictions regarding age shall not apply in ease of promotion or deputation or appointment from the service of one co-operative society by another. The following documents shall be accepted as proof of age of any person selected for appointment to any post under a co-operative society namely:—

(i) Age recorded in the certificate of Matriculation or School Final or Higher Secondary or its equivalent Examination; and

(ii) A certificate from the head of the Educational Institution last attended in the case of those who are not certificate-holders as mentioned in (i) above.

(d) No person shall be eligible for being appointed to any post under any Co-operative Society without a Medical Certificate of fitness to be obtained from a registered medical practitioner as may be required by the Managing Committee which has also have to be satisfied that he possesses good character and antecedents.

(e) The Managing Committee shall be the competent authority to prescribe scales and type of security deposit and/or personal sureties in respect of such category of employees as considered necessary. The Managing Committee shall also be the competent authority to revise the same from time to time if circumstances so demand. The officers deputed by the State Government will not however be required to furnish any security.

The Managing Committee shall be the appointing authority for various categories of posts under a co-operative society. The committee may, from time to time, delegate its powers in this regard to such authorities as it may deem fit:

Provided that all appointments, including appointment by promotion, shall be made on the basis of a test, written or oral, as may be deemed proper by the appointing authority.

2. **Grade and classification of employees.**—In the absence of any general or special orders to the contrary, employees under the co-operative societies shall be graded as follows:

Posts with a scale of pay having maximum of	Grade.
1. Not less than Rs. 950.	I
2. Not less than Rs. 600, but less than Rs. 950.	II
3. Over Rs. 149, but less than Rs. 600.	III
4. Not more than Rs. 149.	IV

The services of all the employees shall be classified as follows:—

(i) Permanent, (ii) Probationer, (iii) Temporary.

A "permanent" employee means an employee who shall be engaged on a permanent basis after satisfactory completion of probationary period.

A "Probationer" means an employee appointed to fill a permanent vacancy of a post and has not completed the probationary period specified in the letter of appointment or the further extended period.

A probationer shall ordinarily be on probation for one year. He may thereafter be confirmed in the post in his work and conduct are found satisfactory. The probationary period may be extended by another year at the discretion of the appointing authority.

A "temporary" employee means an employee who has been engaged for a work which is essentially of a temporary character and likely to be finished within a limited period or who is temporarily employed in connection with a temporary increase in work of a permanent nature or who is temporarily appointed in a leave vacancy.

3. **Commencement of service and seniority.**—(a) Service shall be deemed to commence from the working day on which a person reports for duty in the forenoon. If he reports in the afternoon the service shall be deemed to commence from the working day next following.

Seniority in a particular post of the employees who are already in service of the Society on the date on which these rules come into force shall be determined according to the date of joining the post. If in case of any two or more employees, the date of joining is the same their inter se seniority shall be determined according to the age, the older being the senior, and if in the case of such employees the date of birth of any two or more employees is also the same the inter se seniority shall be decided by the Managing Committee, whose decision shall be final.

(b) Seniority of the employees appointed after the commencement of these rules in each category of posts shall be determined in the manner as follows:—

(i) In case of employees appointed or promoted to a post in one batch, the seniority shall be determined in accordance with the orders of seniority specified by the appointing authority on the results of the test taken at the time of making the appointment or promotion.

(ii) In other cases, seniority shall be determined with reference to date of appointment. But if one or more promotees and one or more direct recruits join on the same date the promotees shall be placed above the direct recruits.

4. **Pay, allowances and other concessions.**—(a) The Managing Committee shall be the competent authority to frame scales of pay, dearness and other allowances in respect of each category of employees of the society. The Managing Committee shall also be the competent authority to revise the same from time to time if circumstances so demand:

Provided that where any co-operative society has incurred loss in the previous year, or has accumulated losses in its account the Managing Committee shall not increase the scale of pay or any allowances in respect of any category of its employees without the approval of the Registrar.

(b) Unless anything is otherwise provided in the terms of the appointment a person on first appointment to any post under the society shall draw the initial pay of the post in the time-scale of pay.

(c) If any employee is promoted from a post to a higher post or he is appointed to officiate in a higher post for a period exceeding one month purely on a temporary measure, his initial pay in the higher post shall be fixed at the stage in the new pay scale next above the stage in the pay scale of the lower post from which he is promoted.

(d) The annual increment in the pay scale shall accrue normally to an employee after he has completed one year's service at a stage in the pay scale, unless it has been previously withheld for reasons of unsatisfactory work, conduct or any other reason.

(e) The Managing Committee may, in special case, allow any employee to draw the initial pay at a higher stage than normally admissible for reason of higher qualification or better experience of the employee, and may grant advance increments not exceeding two at a time (in a year) to an employee by way of encouragement for meritorious services rendered by him.

(f) Travelling allowance admissible to all categories of employees of the societies for journeys and halts on duty as also on transfer shall be guided by the rules of the society concerned:

(g) All categories of employees of the societies shall be entitled to the benefits of contributory Provident Fund as provided in the rules.

(h) The employees of the co-operative societies shall be entitled to bonus if admissible under the provision of the Payment of Bonus Act, 1965 (Act 21 of 1965).

5. **Transfer and training.**—Every employee shall be liable to be transferred from one post to another in the same scale of pay and/or from one station to another in the interest of the business of a co-operative society. Every employee shall also be liable to join any training course as may be decided by the management and will be entitled to full pay and allowances during the training period including period of journeys to and from the training centre. Any delinquency on the part of an employee in carrying out such order of transfer or posting or training will be treated as an act of insubordination which may culminate in the dismissal of such an employee from the service of the society.

On transfer from one station to another or for joining a training centre or return therefrom every employee shall be entitled to three days' joining time, in addition to the time required for the journey. The Chief Executive Officer of the society, however, in special cases may not allow or extend the joining time.

6. **Leave.**—(a) The following categories of leave shall be admissible to an employee of a co-operative society to the extent noted against each—

(i) Casual Leave—15 days in a year.

(ii) Compensatory Leave—An employee required to perform duties on any Bank holiday(s) shall be eligible for compensatory leave for a corresponding number of days.

(iii) Earned Leave—15 days in a year.

(iv) Medical Leave—15 days in a year.

(v) Maternity Leave—6 weeks at a time and not more than three times during the entire period of service for a married female employee.

Leave mentioned in clause (i), (ii) and (iii) shall be on full pay and that mentioned in clause (iv) and (v) on half pay plus full allowances in all cases.

(vi) Extraordinary Leave—This may be granted to any employee in special circumstances when no other leave is, by rule, admissible. This kind of leave shall be sanctioned as leave without pay. It shall be at the discretion of the sanctioning authority to fix the amount of extraordinary leave to be granted in each case. If an employee fails to resume duty on the expiry of extraordinary leave, he shall automatically cease to be in the service of the society.

(b) No leave of any kind can be claimed as of right and the grant of leave shall be subject to the exigencies of service and work and the circumstances of each case.

(c) An employee shall be liable to be recalled from leave other than medical/maternity leave if the exigencies of work so require provided the society bears the actual travel fare of the employee recalled from leave if at the time of recall he is spending his leave at a place other than his headquarters.

(d) An employee shall before proceeding on leave shall state in writing any change in his address while on leave and shall keep the society informed of subsequent changes in such addresses.

(e) The society shall maintain leave account in respect of every employee and on request he/she may be intimated of the amount of leave due to him/her.

(f) A Sunday or holiday falling between the first and the last day of any period of leave shall not count as part of the leave.

(g) Casual leave and compensatory leave shall not be granted for more than seven days at a time nor accumulated or carried forward from year to the next year and shall be deemed to have lapsed if not availed of during the year.

Earned leave and medical leave due shall be carried forward up to sixty days in each case.

7. **Conduct and discipline.**—(a) Every employee of a co-operative society shall at all times:

(i) maintain absolute integrity;

(ii) maintain devotion to duty;

(iii) abide by and comply with the rules of the society and all orders and directions of the superior authorities;

(iv) discharge his duty to the best of his ability in the interest of the society.

(b) All employees shall so manage the private affairs to avoid habitual indebtedness or insolvency; and an employee against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceedings to the society.

(c) No employee shall join, or continue to be a member of association, the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality or to the interests of the society.

(d) No employee shall, except in accordance with any general or special order of the Managing Committee or his superior officers or in the performance in good faith of the duties assigned to him communicate directly or indirectly the contents of any official document or any part thereof or other information to any other employee or any person to whom he is not authorised to communicate such contents or information.

(e) No employee shall accept or permit any member of his family or any person acting on his behalf to accept any illegal gratification or pecuniary advantage or gifts, etc., from any person or agent having dealing with the society.

(f) No employee shall engage himself or participate in any demonstration or strike which is prejudicial to the interests of the society, of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or which involve contempt of court, defamation or incitement to an offence.

(g) No employee shall, in any radio broadcast or any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion which has the effect of any adverse criticism of any policy or action of the society, or may embarrass the relations between the society, Central Government and the Government of West Bengal, or any other organisation related to the Society of which he is an employee:

Provided that nothing in this rule shall apply to any statements made or views expressed by an employee in his official capacity or in the due performance of the duties assigned to him.

(h) No employee shall, except for unavoidable reasons, absent himself from duty without taking prior sanction of leave or overstay the period of sanctioned leave:

Provided that the period of authorised training, participation in seminars, conferences, with proper sanction, including the period of journeys undertaken for that purpose will not be treated as absence from duty.

8. **Misconduct and disciplinary action.**—(a) The following acts shall constitute misconduct of an employee, namely:—

(i) wilful insubordination or disobedience, whether in alliance with a co-employee or not, of any lawful and reasonable order of superior;

(ii) wilfully avoiding work or abetment or instigation thereof;

(iii) theft, fraud, misappropriation or dishonesty in connection with employer's business or property or otherwise;

(iv) habitual absence without leave, overstaying the sanctioned leave without sufficient grounds or proper and satisfactory explanation of habitual late attendance;

(v) commission of any act subversive of discipline or good behaviour in any public place such as drunkenness, riotous, disorderly or indecent behaviour, gambling or taking or giving bribes or any illegal gratification of any kind whatsoever;

(vi) wilful damage to work or goods in process or to any property of the society;

(vii) habitual neglect of work or gross or habitual negligence;

(viii) disclosing to an unauthorised person any information with regard to the society which may come into the possession of the employee in the course of his work;

(ix) indulging in scurrilous attacks against the management and other superiors of the employee in his official capacity;

(x) delivering speeches or raising slogans tending to incite workers to violence;

(xi) contempt of rules and disrespect of authority and general affront to the management;

(xii) impertinent, rude and disrespectful language which is subversive to discipline.

(b) Any of the following penalties may be imposed for such misconduct by the Disciplinary Authority on an employee, namely:—

(i) dismissal from service which shall ordinarily be a disqualification for future employment under the society;

(ii) reduction in rank to a lower grade in service or post on a lower time scale;

(iii) withholding of incremnets with cumulative effect;

(iv) withholding of annual increment, without cumulative effect;

(v) recovery from pay of the whole or part of any pecuniary loss caused to the society by negligence or breach of orders;

(vi) censure;

(vii) fine:

Provided that the acts of misconduct enumerated in items (viii) and (xii) of clause (a) shall be deemed to be minor offences for which any of the penalties mentioned against items (iv) to (vii) of clause (b) may be imposed and not any of the other penalties.

Explanation.—The following shall not amount to a penalty within the meaning of this rule, namely:—

(i) stoppage of an employee at the efficiency bar in the time scale of pay if any, on the ground of his unfitness to cross the bar;

(ii) reversion to a lower grade or post of an employee officiating in a higher grade or post for want of vacancy or on administrative grounds unconnected with his conduct;

(iii) reversion to his permanent service, grade or post of an employee appointed on probation to another service, grade or post during or at the end of the period of probation;

(iv) termination of service—

(a) of an employee appointed on probation during or at the end of the period of probation or;

(b) of any employee employed temporarily or under an agreement, in accordance with the terms of such agreement or at one month's notice, for abolition of the post or otherwise;

(c) for the purpose of imposing any penalty under this rule the appointing authority shall also be the 'Disciplinary Authority'. Except where in accordance with rules 47 and 51 the Executive Officer, Managing Director, Secretary or Manager of the society, shall be the disciplinary authority. But no penalty shall be imposed until the charges against an employee have been properly enquired into by an Enquiring Officer to be appointed by the Disciplinary Authority and the employee has been given an opportunity of explaining the charges personally and/or in writing:

Provided that if any penalty is imposed by any authority other than the Managing Committee of the society an appeal against the order imposing the penalty shall lie to the Chairman. When the penalty is imposed or approved by the Managing Committee, an appeal shall lie to the general meeting.

9. **Suspension.**—(a) An employee of the society whose conduct requires investigation on a charge of misconduct enumerated in clause (a) of paragraph 8 may be placed under suspension by the Chief Executive Officer of the society, by whatever designation he may be called pending the result of enquiry into his alleged misconduct, if in the opinion of such authority, the attendance of such an employee on duty during the period of investigation of charges against him is likely to vitiate the proceedings.

(b) No employee who has been suspended is entitled to absent himself from his station during the period of his suspension.

(c) During the period of suspension, an employee shall be entitled to subsistence allowance equal to 50 per cent. of his salary with other usual allowances admissible to him in full or at such rate as will be fixed by the Managing Committee from time to time.

No payment of any kind, other than the authorised subsistence allowance and other admissible allowance, is to be made to an employee during the period of suspension.

An order of suspension shall continue to remain in force until it is modified or revoked by the authority who suspended him or by the Managing Committee.

(d) When the charge against an employee is held to have been unjustifiable or not wholly justifiable, or when an employee who has been dismissed, removed or suspended is reinstated, the Managing Committee may grant to him for the whole period of his suspension—

(i) if he is honourably acquitted, the full pay and allowances, if any, to which he would have been entitled if he had not been dismissed, removed or suspended minus the subsistence, and other such allowances drawn by him.

(ii) If otherwise, such portion of his pay and allowances, if any, as the Managing Committee may decide.

In any case falling under clause (i) above, the period of suspension will be treated as a period spent on duty. In any case falling under clause (ii) the period may be treated as on duty or on leave. But it will not be so treated unless the Managing Committee directs accordingly.

(e) If any employee is absent from duty by reason of his being arrested or committed to prison either for debt or on criminal charge, he shall not be allowed to draw any pay, leave salary or allowances for the period of such absence until decision of the case against him, when an adjustment of his emoluments may be made according to the circumstances of the case, the full amount being given only in the event of the employee being acquitted of blame, or if the imprisonment was for debt, of its being proved that the employee's liability arose from circumstances beyond his control. When full amount is allowed, the period of such absence from duty will be treated as a period spent on duty. When less than full amount is allowed, the period may be treated as on duty or on leave as the Managing Committee may decide.

10. **Resignation, retirement and terminal benefits.**—(a) A permanent employee desirous of tendering resignation from the service of a society shall give three months' notice to the society in writing, failing which he shall be liable to pay an amount equal to three months' salary and allowances.

A probationer or a temporary employee desirous of tendering resignation from the service of the society before completion of his term shall give one month's notice to the society in writing, failing which he shall be liable to pay an amount equal to one month's salary and allowances:

Provided that the Managing Committee may, in exceptional circumstances, dispense with the requirement of notice or reduce the requisite period of notice.

(b) Except with the sanction of the Managing Committee resignation will not be permitted while the conduct of an employee is under investigation or until all departmental claims against him are settled. While placing before the Managing Committee an application for resignation, it should be stated whether there is anything adverse to the applicant or whether anything is due from him to the society.

The authority receiving an application from an employee asking for permission to resign should at once adjust all claims of the society outstanding against the applicant, and his resignation should not be accepted until his accounts are fully adjusted and charge of his office is formally made over.

If without formally tendering resignation or having sent his resignation, an employee quits his post before receiving intimation of acceptance or before expiry of the requisite period of notice three or one month's salary and allowances, as may be decided by Managing Committee, will be recovered from dues payable to him, from security deposit or from Provident Fund.

(c) Every employee appointed in any post under a co-operative society shall unless he resigned or is discharged or dismissed earlier, retire on attaining the age of 58 years.

Employees of co-operative society shall be eligible to payment of gratuity as indicated below on fulfilment of the following terms and conditions:—

(1) When an employee retires after completing ten years of continued service, after attaining 50 years of age, he shall be granted when he retires from service, salary for the period of earned leave due to him and a retiring gratuity at the rate of half of the monthly basic pay drawn by him at the time of his retirement for each completed year of service subject to a maximum of fifteen times the monthly basic pay or Rs. 6,000, whichever is less:

Provided that in case of an apex society, the maximum amount shall be Rs. 10,000.

(2) When an employee who has completed five years' continued service, dies while in service, a death gratuity not exceeding half of the monthly basic pay for each completed year of continued service, subject to a minimum of three times and maximum of fifteen times the monthly basic pay drawn by him at the time of his death or Rs. 6,000 whichever is less, shall be paid to the person or persons on whom the right to receive the gratuity has been conferred by the deceased or if there be no such person to his legal heirs. Provided that in case of an apex society the minimum should be six times of the monthly basic pay and the maximum should be Rs. 10,000.

(3) When an employee after ten years' of continued service becomes at any time physically or mentally incapable of rendering further service he shall be granted salary for the period of leave due to him and a gratuity at the rate of half of the monthly basic pay for each completed year of service subject to a maximum of 15 times the monthly basic pay drawn by him at the time of termination of his service subject to a maximum of Rs. 6,000, where his services are terminated for any one of the reasons set forth above:

Provided that such an employee has to give a written undertaking before drawal of such gratuity to the effect that he would not accept any gainful employment under any organisation in course of next three years.

(e) When an employee retires voluntarily or resigns before attaining 50 years of age, he shall not be entitled to any gratuity.

CHAPTER V

Privileges of Co-operative Societies

78. **Change of liability.**—(1) When a co-operative society resolves to change its form or extent of liability, it shall adopt proposals for such amendment of its bye-laws as may be consequential and necessary for the safe conduct of its business and submit an application in the manner provided in rule 14 for registration of such amendments.

(2) The notice required under sub-section (2) of section 43 shall be issued under a certificate of posting.

79. **Notice under section 44.**—(1) The notice to creditors under section 44 shall be in the form set forth in the schedule and be served by a co-operative society either by registered post or under certificate of posting.

(2) A general notice, in the form referred to in sub-rule (1) with suitable changes, may, if considered necessary by the Managing Committee, be issued under section 44 and be published by posting—

(a) a copy of the notice in a conspicuous place at the office of the co-operative society, and

(b) at the office of the anchal panchayet within whose jurisdiction the office of such society is situated.

(3) A statement of debts by a member or a person applying for a loan or for membership, as the case may be, referred to in section 44, and a written statement of claims from the creditors shall be given in the forms set forth in the schedule.

80. **Notice under section 45.**—A notice under section 45 shall be sent to the Collector by registered post with acknowledgement due and shall show the name, father's name and full address of the member concerned with sufficient particulars of the property of, or revenue or loan or advance realisable from, such member so as to enable the Collector to identify the property or to find out the details of revenue or loan or advance, as the case may be.

81. **Form of declaration for creating charge on immovable property of members.**—(1) A declaration to be made under section 48 shall be in the form set forth in the schedule.

(2) A register of such declaration shall also be kept by the society in the form set forth in the schedule.

(3) A charge on any immovable property created by a member in favour of a society for amounts borrowed or likely to be borrowed by him, from time to time, shall, subject to the provisions of clauses (b), (c), (d) and (e) of section 48, continue in force till the person creating the charge ceases to be a member of the society.

82. **Form of application for demarcation of irrigable area or protected area or co-operative farming area.**—A co-operative society shall submit an application for demarcation of the irrigable area, protected area or co-operative farming area under section 49 in the forms set forth in the schedule.

83. **Notice under sub-section (3) of section 49.**—The notice under sub-section (3) of section 49 shall be in the form set forth in the schedule and shall be published by hanging it on the land adjoining the source of irrigation or on the embankment or on the co-operative farming area, as the case may be, and also by fixing copies of such notice on the notice board of the Collectorate, at the office of the anchal panchayet and at the registered office of the co-operative society.

84. **Form of map.**—The map of the irrigable area, the protected area or the co-operative farming area shall—

(i) be drawn up in the scale of the settlement map at 16 inches to one mile;

(ii) show the boundaries of the irrigable area, the protected area or the co-operative farming area, as the case may be, and the settlement plot numbers.

85. **Form of statement.**—The statement referred to in sub-section (3), sub-section (7) or clause (c) of sub-section (10), of section 49, shall be in the form set forth in the schedule.

86. **Publication of map and statement.**—The map and the statement prepared under sub-section (3), sub-section (7) or clause (c) of sub-section (10) of section 49 shall be published on the notice board of the Collectorate, at the office of the anchal panchayet and at the registered office of the Co-operative Society, and shall also be hung up on the land adjoining the source of irrigation or on the embankment or on the co-operative farming area, as the case may be.

87. **Levy of water and embankment rate.**—A co-operative society may levy a water rate or embankment protection rate based on—

(a) such percentage of the value of estimated produce of the land benefited;

or,

(b) such fixed rate per bigha calculated as to cover within a specified period all costs incurred together with the interest thereon for the provision of irrigation facilities or embankment protection;

as the Managing Committee of the society, with the approval of the Registrar, may determine.

88. **Procedure for notifying non-members to join a co-operative farming society.**—(1) The directions to be given to the non-members by a co-operative society under clause (d) of sub-section (10) of section 49 shall be by a written memorandum in the form set forth in the schedule.

(2) The time within which a non-member shall join the co-operative society concerned under clause (d) of sub-section (10) of section 49 is forty-five days from the date of receipt of the memorandum referred to in sub-rule (1), and at the time of such joining, such non-member shall pay the requisite admission fee and the value of one or more shares as required by the bye-laws of the concerned society.

(3) The memorandum referred to in sub-rule (1) shall be signed and dated by the Chief-Executive Officer of the society and shall be issued under the common seal of the society.

89. **Time within which, and the manner in which, mortgage deed referred to in sub-section (2) of section 52 to be sent to the Registering Officer.**—(1) The period within which a copy of the mortgage deed, referred to in sub-section (2) of section 52, shall be sent to the Registering Officer is thirty days from the date of its execution, and before such document is sent as aforesaid, it shall be duly certified by the Manager, Branch Manager, or any officer of the Government deputed by the State Government or the Registrar under section 24, as the case may be.

(2) Such a document shall be sent to the Registering Officer concerned by a messenger or by registered post with acknowledgment due.

90. **Application for compromise between a co-operative society and its creditors.**—(1) An application to the Registrar under section 54 shall contain the proposed terms and conditions of the compromise or arrangement and, where the applicant is a society, shall be accompanied by a resolution of the general meeting proposing the compromise or arrangement.

(2) On receipt of such application, the Registrar may, if he is of opinion that the proposed terms and conditions of the compromise or arrangement shall be beneficial to the parties, give directions as to the following matters, namely:—

(i) the date or dates when the scheme of compromise or arrangement shall be placed before the creditors;

(ii) the time and place where the meeting (or meetings) of the creditors shall be held;

(iii) the preparation by a person duly authorised by him of a statement containing the names of the creditors likely to be affected and the amount due by the society to each of them; and

(iv) the time within which the Chairman of the meeting shall forward his report to the Registrar.

(3) Together with the direction to be given under sub-rule (2), the Registrar may refer any question touching the compromise or arrangement for consideration and decision of the meeting, and the Chairman, of the meeting shall put such question to the meeting.

91. **Notice of creditors' meeting.**—(1) On receipt of the order of the Registrar, the society or the liquidator (in case of a society in respect of which an order of winding up has been passed) shall, before thirty clear days of the date fixed for the meeting, issue a notice—

(a) of the date, time and place of the meeting, and

(b) of the proposals for compromise, to every creditor who is likely to be affected thereby.

(2) The notice shall be sent by registered post or through a messenger in which case the signature of the receiver shall be taken as proof of service.

(3) Any creditor desirous of moving an amendment to the proposed compromise or arrangement shall send to the society or to the liquidator, if any, a copy of his amendment at least fifteen days before the date fixed for the meeting, and the secretary or the liquidator, as the case may be, shall send copies of such amendment by ordinary post to each creditor to whom the notice under sub-rule (1), has been sent.

(4) The proceedings of any meeting held under this rule shall not be invalid by reason only of the fact that the notice prescribed was not received by any person entitled to receive it where the proof of despatch is satisfactory.

(5) Any officer of the society or a liquidator or any person authorised in writing in this behalf by the Registrar may attend the meeting, and if so requested by the Chairman of the meeting, may take part in the discussion but shall not be entitled to vote.

92. **Appointment of proxy by creditor unable to attend meeting.**—(1) A creditor, who is unable to be present in person in the meeting, may appoint another person as his proxy in writing in the form set forth in the schedule.

(2) The appointment of proxy shall not be valid unless the form, duly filled in, is deposited at the office from which the notice of the meeting is issued at least forty-eight hours before the time fixed for holding the meeting.

93. **Procedure to be followed at meeting.**—(1) On the date, time and place appointed for the meeting, the creditors present shall choose a person to be Chairman of the meeting.

(2) Immediately after the Chairman has been elected, he shall read out a statement, duly authenticated by an officer authorised in this behalf by the Registrar, containing the names of those creditors to whom notices under sub-rule (1) of rule 91 have been issued and the amount due by the society to each.

(3) If as many creditors as are required by sub-section (2) of section 54 are present, the Chairman shall read to the meeting the term of the proposed compromise or arrangement and shall put to the meeting the question whether the proposed compromise or arrangement is to be accepted.

(4) Any creditor present may move an amendment to the compromise or arrangement proposed, if he has given notice of such amendment in accordance with sub-rule (3) of rule 91:

Provided that the Chairman may put to the meeting any amendment proposed by a creditor of which such notice has not been given, if a majority of the creditors present agree that such amendment be considered by the meeting.

(5) Every amendment shall be put to the meeting in such order as the Chairman may consider convenient for the purpose of discussion.

(6) The persons present at the meeting may speak on the motion put by the Chairman or any amendment moved thereto in such order as the Chairman may direct. The Chairman may fix a time limit for speeches.

94. **Minutes of meeting.**—(1) The Chairman shall cause minutes to be prepared of the proceedings of the meeting and shall sign them before leaving the meeting.

(2) The minutes shall contain the names of all creditors present at the meeting and if a poll is demanded, the number of creditors voting for or against the motion or any amendment moved thereto.

(3) The Chairman shall forthwith forward to the Registrar a copy of the minutes of the proceedings of the meeting together with a copy of the terms of the compromise or arrangement, if any, duly signed by him.

95. **Dissolution of meeting, if required number of creditors are not present.**—The Chairman shall dissolve the meeting if the number of creditors required under sub-section (2) of section 54 is not present and shall report to the Registrar.

96. **Publication of compromise or arrangement.**—A compromise or arrangement sanctioned by the Registrar shall be published by the society by—

(i) displaying it for thirty days in a conspicuous place at the registered office of the society;

(ii) displaying it at such other conspicuous places in the area over which the society operates and in such other manner as the Registrar may direct; and

(iii) sending copies of the same to all creditors to whom notices have been issued under sub-rule (1) of rule 91.

CHAPTER VI

Property and funds of Co-operative Societies

97. **Investment of funds.**—In addition to the manner specified in section 55 or in sub-section (5) of section 56, a co-operative society may invest or deposit its funds—

(a) with the State Co-operative Bank;

(b) with the Central Co-operative Bank of the area within which its registered address lies (including the branches of the said Central Co-operative Bank, if any),

(c) in any other manner permitted by the Registrar.

98. **Creation of reserve fund in a society with unlimited liability.**—(1) In every co-operative society with shares and unlimited liability, not less than one-half of the net profits in any year shall be carried to the reserve fund until that fund is equal to one-half of the total borrowed capital; thereafter not less than one-third of the net profits in any year until the reserve fund equals the amount of borrowed capital, and thereafter not less than one-fourth of the net profits in any year shall be carried to the reserve fund:

Provided that if by any increase in the borrowed capital, the proportion of the reserve fund to the borrowed capital is reduced in any year, the share of the net profits to be credited to the reserve fund shall be raised to the extent required until the proportion is restored.

(2) In every co-operative society with unlimited liability and without shares, not less than three-fourths of the net profits in any year shall be carried to the reserve fund.

99. **Use of reserve and other funds in the business of a society.**—(1) A co-operative society may, subject to the approval of the Registrar and to such conditions as he may impose, use in its business—

(i) up to one-fourth of its reserve fund, when the owned capital is less than the borrowed capital;

(ii) up to one-half of its reserve fund, when the owned capital is equal to or exceeds, the borrowed capital; and

(iii) the entire reserve fund, when there is no borrowed capital.

(2) No part of the Bad Debt Fund, Agricultural Credit Stabilisation Fund or Inventory Loss Fund, maintained in terms of section 56, shall be used in the business of a co-operative society except in accordance with the rules, as may be framed by the State Government, for use of these funds.

100. **Provident fund of the employees.**—(1) A co-operative society, coming within the purview of the Employees' Provident Fund Act, 1952, shall establish, contribute to, and administer an Employees' Provident Fund consistent with the provisions therein contained.

(2) (a) Other co-operative societies may establish provident fund to be called the Employees' Contributory Provident Fund.

(b) A society creating such a fund shall, with the approval of the general body of members in a general meeting, formulate regulations for its management. Among other relevant matters, such regulations shall provide for the following, namely—

(i) authority to administer the Employees' Contributory Provident Fund;

(ii) amount of contribution to be deducted from the employees' salary;

(iii) mode of nomination for payment of the amount of the Contributory Provident Fund in case of employees' death;

(iv) the purpose for which, and the extent to which, and the period after which, advances may be made against the security of such Fund, and the number of monthly instalments in which the advance is to be recouped;

(v) refund of employees' contribution and contribution made by the society;

(vi) maintenance of accounts of such fund.

(c) The amount of contribution that can be made by a salaried employee in any month shall not exceed eight and one-third per centum of his basic salary.

(d) The society may make such contribution every year to the Employees' Contributory Provident Fund, as may be approved by the Managing Committee, but such contribution shall not be less than the annual contribution made by the employee concerned.

101. **Declaration of dividend, rebate, etc.**—(1) In every co-operative society with shares, dividend may be declared up to a maximum of 12 per cent. per annum, on the amount paid up on shares.

(2) (a) In any co-operative society dealing in goods, rebate may be allowed on the total amount of payments made by a member during a co-operative year towards his purchase of goods from the society during that year.

(b) In case of credit societies, rebate in interest may be allowed to members making timely repayment.

(3) No dividend shall be paid by a society with shares and unlimited liability without the previous sanction of the Registrar.

(4) No dividend or rebate shall be paid in any co-operative society unless such dividend or rebate is recommended by the Managing Committee and approved by the general meeting.

(5) A society incurring loss or having accumulated losses on its account shall not, without the approval of the Registrar, pay bonus to its employees at more than the minimum rate prescribed under the Payment of Bonus Act or make any ex-gratia payment to them.

102. **Co-operative Development Fund.**—(1) Every society shall, after the close of each co-operative year and after the audited balance-sheet is considered in a general meeting, while allocating the net profits, if any, make such contribution to the co-operative development fund as may be approved in the general meeting, subject to clause (a) of section 58. Such contribution shall, within two months from the date of the general meeting, be remitted to the West Bengal State Co-operative Bank Limited or to the Central Co-operative Bank of the area concerned for credit to the fund. Where such contribution is remitted to the Central Co-operative Bank, such bank shall transfer the same to the West Bengal State Co-operative Bank within a period of thirty days, from the date of the receipt of the remittance.

(2) (i) The funds shall be administered by a committee, called the Co-operative Development Fund Committee, to be set up by the State Government, composed of the following persons, namely:—

(a) Chairman of the State Co-operative Union—Chairman.

(b) Three representatives of Agricultural Societies viz., one from societies dispensing short term credit, one from societies dispensing long term credit sector and one from marketing societies to be nominated by the State Government—Members.

(c) Two representatives of non-agricultural societies, viz., one from non-agricultural credit societies and one from non-agricultural non-credit societies, both to be nominated by the State Government—Members.

(d) One nominee of the Registrar—Member.

(ii) The Executive Officer of the West Bengal State Co-operative Union, and in absence of such Executive Officer, the senior co-operation education officer of the said union, shall be the Secretary of the committee.

(iii) The members of the committee shall hold office for a term of three years from the date of their appointment.

(iv) A casual vacancy in the membership of the committee shall be filled up by the nominating authority, as early as possible, for the remaining period of the term of the member in whose place the vacancy has occurred.

(3) Subject to such directions, if any, as the State Government may give from time to time, the fund may be utilised for any of the following purposes, namely:—

(a) the education of members, office-bearers, employees and general public in co-operative principles and practice;

(b) the development of new types of co-operative societies;

(c) the improvement of co-operative societies;

(d) the development of co-operative movement in general;

(e) co-operative publicity and propaganda;

(f) the publication of books relating to co-operative movement;

(g) the conduct of research, case studies and evaluation in the field of co-operative movement;

(h) the award of prizes or honorarium for rendering meritorious services to the cause of the co-operative movement of the State;

(i) any other purpose as may be approved by the State Government.

(4) The fund shall be audited by the Registrar or by an Audit Officer authorised by him in this behalf by an order in writing, annually within a period of six months from the close of each co-operative year, and the copies of the audit report shall be submitted to the committee and to the State Government.

103. **Contribution for charitable and other purposes.**—A co-operative society may make contributions under sub-clause (iii) of clause (b) of section 58 to the Co-operative Employees' Benefit Fund, the West Bengal State Co-operative Development Fund or any other fund which may be approved by the State Government by a general or special order made in this behalf.

CHAPTER VII

Privileges, liabilities and obligations of members of Co-operative Societies

104. **Appeal against refusal to admit any applicant as member of a society.**—On receipt of an appeal under sub-section (4) of section 59, the Registrar shall issue clear seven days' notice to the appellant and to the society concerned fixing the date, time and place of hearing; and after affording the parties an opportunity of being heard, the Registrar shall make such order as he deems proper and the order shall be binding on the society with effect from the date of receipt of the same. No resolution of the Managing Committee admitting the appellant as member shall be necessary.

105. **Disqualification for voting.**—No member of a primary or a central society shall be eligible for appointment to vote in the affairs of another co-operative society, of which the firstmentioned society is a member—

(a) if such member is disqualified under the provisions of the Act or the rules for voting in the affairs of the society of which he is a member or for being appointed or elected as a director; or

(b) if, in the case of a primary society, the member is in payment of his dues and, the Managing Committee has not granted any extension of time for making such payment.

106. **Exercise of rights of membership.**—(1) (a) Before a member may exercise rights of membership, he shall—

(i) sign a declaration in such form, as may be required by the Managing Committee, undertaking that he shall be bound by the bye-laws of the society,

(ii) sign the register of members, and

(iii) make payment of such amount to the society, as may be determined by the Managing Committee, within ninety days from the date of demand.

(1) The members, who have not yet signed such declaration or the register of members, shall do so within ninety days from the commencement of these rules.

(2) A member who has joined in the application for registration of the society shall sign such declaration as also the register of members and make payment to the society, according to the provisions of section 61, to the extent decided by the Managing Committee, within a period of ninety days from the date of demand for payment by the society in writing:

Provided that if such member fails to sign the declaration or the register of members or to make the payment to the society within the said period, he shall lose his rights as a signatory-member, but may be admitted as a member on fresh application.

107. **Nominal members.**—Notwithstanding anything contained in the rules or the bye-laws in regard to membership, a co-operative society may admit in its own interest any person residing in the registered area of operation of the society, as a nominal member, subject to the following conditions namely:—

(a) Any person applying for nominal membership shall submit an application to the society in the form prescribed by the Managing Committee and make such payment to the society as may be provided for in the bye-laws. The application shall be supported by at least two members of the society.

(b) The Managing Committee shall, after due consideration, sanction or refuse an application for nominal membership, within 45 days from the date o receipt of the application:

Provided that every application for nominal membership shall be dealt with in the manner provided for in sub-section (3) of section 59 and the proviso thereto.

(c) A nominal member shall be entitled to receive a special type of certificate of membership from the society. A register of such members, kept by the society, shall be prima facie evidence of the following particulars entered therein namely:—

(i) the date on which the name of such person was entered in such register as a nominal member; and

(ii) the date on which any such person ceased to be a nominal member.

(d) A nominal member shall cease to be a member on his resignation, conviction in a criminal case, insolvency, lunacy, bankruptcy, or his leaving the area of operation without any intention to return:

Provided that his obligation to the society as a nominal member shall subsist until he has discharged all his liabilities to the society.

(e) The liability of such members for the debts of the society shall be limited to the payment made by them; and all fees paid by such members, which shall neither be transferable nor refundable, shall be credited direct to the Reserve Fund of the society.

(f) A nominal member shall sign a declaration to the effect that he shall be bound by the bye-laws of the society.

(g) For the purposes of section 86 and section 126, the word 'member' shall be deemed to include 'nominal members' also.

108. **Associate members.**—Notwithstanding anything contained in the rules, or the bye-laws in regard to membership, a co-operative society may admit in its own interest, any person or an association or body of persons residing in the registered area of operation of the society, as associate member subject to the following conditions namely:—

(a) Any person or association or body of persons applying for associate membership shall submit an application to the society in the form prescribed by the Managing Committee, supported by at least two members of the society, and make such payment to the society in respect of such membership as may be provided for in the bye-laws.

(b) An associate member shall be entitled to receive usual share certificates, like other members, excepting nominal members, and shall similarly be entitled to usual share in the assets or profits of the society. They shall also be subject to such liabilities of a member, other than a nominal member, as may be provided for in the bye-laws.

109. **An association or body of persons as a member of a co-operative society.**—When any association or body of persons is admitted as a member of a co-operative society, it shall appoint any one of its office-bearers or officers, by an instrument in writing, to exercise its rights and perform its duties in relation to such society.

110. **Manner of recalling a loan not utilised for the proper purpose.**—Where the Managing Committee of a co-operative society has reasonable cause to believe that a member has not utilised a loan for the purpose for which it was advanced, the society may, by a notice, direct the member to show cause, within such time as may be specified in the notice, why the loan shall not be recalled, and where no cause is shown to the satisfaction of the society within the time specified, the society—

(a) may recall the loan, and

(b) if the loan is not refunded immediately on recall, shall apply to the Registrar for an award under section 126 in order to recover the loan.

111. **Restriction on interest of a member of a society with limited liability and shares.**—Where the liability of the members of a co-operative society is limited by shares, no member other than a co-operative society shall hold more than one-seventh of the share capital of the society.

112. **Nomination of transferee.**—(1) A member of a co-operative society may, in accordance with section 69, nominate in writing any person to whom or to whose credit the share or interest or the value of such share or interest shall, on his death be paid or transferred under the provisions of the Act:

Provided that such member may, from time to time, revoke or vary such nomination in writing.

(2) Every co-operative society shall keep a register of all persons so nominated.

(3) In case the nominee of a member dies, the member shall report the death to the society.

113. **Disposal of deceased members' share or interest and procedure for calculation of value of shares.**—(1) When upon the death of a member of a co-operative society, the question of transferring the share, or paying interest, of such deceased member arises, and the Managing Committee of such society finds that the deceased member did not nominate any body as his nominee in accordance with the provisions of section 69, or that the existence or residential address of the person nominated cannot be ascertained, or that for any other sufficient cause such transfer or payment cannot be made without unreasonable delay, the Managing Committee may transfer the share or pay interest of such deceased member in favour of, or to, any person who presents in writing his or her claim for the said share or interest, and produces, in support of such claims, probate, letter of administration or succession certificate issued by a competent court having jurisdiction, and makes a written declaration in an affidavit before a Magistrate that he or she is the rightful claimant, being the legal heir or representative of the deceased.

(2) (a) Where a co-operative society has to make a refund of the value of a share, the value of the share shall be deemed to be equal to the amount paid upon the share:

Provided that where a portion of the assets is estimated to be bad or doubtful in the latest audited balance sheet, and is not covered by funds created out of profits, the Managing Committee may, for the purpose of such payment, reduce the value of the share, in the same proportions as the aggregate amount of assets which are not bad or doubtful, less the amount of outside liabilities, bears to the paid-up share capital.

(b) Where a transfer of share or interest is made, the value of the share or interest shall be deemed to be the sum actually paid by the member for the acquisition of such share or interest.

CHAPTER VIII

Division, transfer of assets and liabilities, and amalgamation of co-operative societies

114. **Publication of preliminary order made under section 76 or section 77.**—(1) When the Registrar makes a preliminary order providing for the—

(a) amalgamation of two or more co-operative societies into one society under section 76, or

(b) division of a co-operative society into two or more societies under section 77, or

(c) transfer of assets and liabilities of one co-operative society to another society under section 77,

he shall—

(i) publish such order in the Official Gazette along with a notice calling upon the society or societies to be amalgamated or the society or societies to be divided or the transferor or the transferee societies, as the case may be, and every member or creditor of such society or societies to make objections or suggestions, if any, to the Registrar with respect to such order within two months from the date of publication of such order in the Official Gazette,

(ii) simultaneously send a copy of such order and notice, by registered post, to such society or societies, and

(iii) expeditiously send a copy of such order to the financing bank of which such society or societies may be member or members.

(2) Every society, receiving copy of an order and notice referred to in sub-clause (ii) of sub-rule (1), shall, within seven days of their receipt, communicate, in writing, the substance thereof to its members and creditors either by delivery by hand after taking proper receipt or by registered post.

CHAPTER IX

Audit, inspection and inquiry

115. **Date of audit and audit fees.**—(1) The audit of a co-operative society shall be made and the audit report shall be submitted—

(i) in case of a primary agricultural credit society, within nine months, from the date of the close of the co-operative year, and

(ii) in case of any other society, within six months, from the date of the close of the co-operative year:

Provided that if the audit officer fails to submit the audit report within the time as aforesaid, the Registrar shall arrange for completion of audit in course of the next three months, in such manner, as he may deem fit:

Provided further that if the Registrar cannot arrange completion of audit within the aforesaid period the society shall forthwith get its account audited by any of the auditors out of the panel of auditors maintained by the Registrar and with the authorisation of the Registrar.

(2) A co-operative society, other than a society dealing in goods shall pay an audit fee calculated on the average working capital on the last day of each month of the co-operative year, for which the audit fee will be due.

(3) In the case of a society dealing in goods, the audit fee shall be calculated on the total value of the goods sold during the year:

Provided that where a society, in addition to other business, deals in goods, the average working capital referred to in sub-rule (2) or the total value of the goods sold by the society during the year, whichever is higher, shall be taken into account in calculation of audit fee.

(4) The audit fee shall be calculated at the following rates, namely—

(a) sixty-two paise for every one hundred rupees or part thereof subject to the maximum of one hundred and forty rupees in the case of a primary society with unlimited liability;

(b) sixty-two paise for every one hundred rupees or part thereof up to Rs. 50,000, subject to a maximum of Rs. 250, thereafter Rs. 25 for every Rs. 25,000 or part thereof, up to one lakh of rupees, and thereafter Rs. 50 for every Rs. 50,000 or part thereof, subject to an

ultimate maximum of Rs. 1,000 in case of a primary society with limited liability other than a primary non-agricultural credit society;

(c) thirty-one paise for every one hundred rupees or part thereof up to Rs. 1,50,000, subject to a maximum of Rs. 350 and thereafter Rs. 50 for every Rs. 50,000 or part thereof, subject to an ultimate maximum of Rs. 2,000 in the case of a Central Society or primary non-agricultural credit society;

(d) the same rate as specified in clause (c) subject to such maximum as may be settled between the society and the audit officer with the approval of the Registrar, in the case of an apex society; and

(e) in case of a society which is under the process of being wound up, one percent of the realised assets of the society during the Co-operative year for which the accounts are audited:

Provided that in addition to audit fee mentioned in sub-rule (4) above an additional amount of 25 per cent. thereof may be allowed in the case of a society whose accounts are subjected to running audit and for an additional amount of 12½ per cent. may be allowed where the auditor is required to audit the accounts of a society at its head office as also at Branches, by the Registrar; and the audit fees including the additional audit fees, if any,, shall, subject to the provision of rule 116, be payable by the society concerned:

Provided further that in addition to audit fees mentioned above, every society shall be required to pay to an audit officer, not being a departmental officer, travelling allowance equal to single first-class fare or double bus fare, whichever is less, for each of the journeys from the office of the audit officer to the office of the society and back, including branches, if any, subject to a maximum of Rs. 200 for annual audit and a maximum of Rs. 500 where running audit is also undertaken.]

(5) Audit fees payable by a society shall be deemed to be Government dues, and if not paid within the time fixed, may be recovered in the same manner as arrears of land revenue:

Provided that in cases where the accounts of a society are audited by an audit officer, not being a departmental audit officer, authorised in this behalf by the Registrar under sub-section (1) of section 79, the audit fee shall, if paid within a period of three months from the date of submission of the audit report after completion of audit, be paid direct to the audit officer auditing the accounts, and the audit fees, if so paid, shall not be deemed to be Government dues. If, however, the audit fee is not so paid within the prescribed period of three months, such fees shall be recovered as a public demand by the Registrar and paid to such audit officer.

116. **Assessment of Audit fees on Co-operative Society.**—(1) Audit fees shall be assessed—

(a) in case of a primary agricultural credit society which is a member of a Central Co-operative Bank, upon the said bank, and

(b) in case of any other society, upon the society.

(2) The audit fee paid by a Central Co-operative Bank on behalf of a member agricultural credit society shall be deemed to be a loan due to the bank by the society and shall be recoverable from the society concerned like any other loan payable by the society.

117. **Exemption and remission of Audit fees.**—(1) Housing Societies which have completed contsruction of houses or flats under their respective schemes and have allotted all those houses or flats to their members or which have undertaken allotment of plots and have allotted all plots to their members, Public Health Societies, societies set up at schools or colleges having a working capital or annual turn over of less than rupees twenty-five thousand, societies set up at Co-operative Training Centres and societies which are less than 18 months' old and which have not raised a working capital of rupees ten thousand or above during the period of those eighteen months shall not be liable to pay audit fees.

(2) The Registrar may, at his discretion, remit either wholly or in part the audit fee payable by any other society.

118. **Payment of Audit fee.**—(1) Where the audit of the accounts of a co-operative society is conducted by a departmental officer, the audit fee shall be deposited, within a period of three months from the date of submission of the audit report, in the nearest treasury or the sub-treasury of the area, as the case my be, under the appropriate receipt head of the State Government.

(2) Where the accounts of a society are audited by an audit officer, not being a departmental audit officer, the audit fee shall be paid, within a period of three months from the date of submission of the audit report, direct to such Audit Officer.

119. **Procedure of Audit.**—(1) Unless the Registrar directs otherwise, the audit of a co-operative society shall be conducted in the registered office of the society and at the branches and pay offices, if any.

(2) Previous intimation shall be given to the society before the audit is commenced:

Provided that the verification or examination required by clauses (a), (b), and (c) of sub-section (4) of section 79 may be carried out without any previous intimation to the society.

(3) The officers and employees of the society shall give the audit officer all assistance necessary for the completion of the audit, and for this purpose, in particular, prepare such statements and take such action with regard to the verification or examination of its accounts, as he may require.

120. **Form of Audit statements.**—The statements of accounts shall be prepared by the Managing Committee in the form set forth in the schedule or in such other forms as the Registrar may approve.

121. **Scope of Audit.**—(1) The audit shall include annual audit, running audit or re-audit, where considered necessary, by the Registrar. The Managing Committee of a co-operative society may further arrange to have its accounts internally audited on a periodical or other basis, as deemed proper, by such person or persons and on such terms as may be decided by the Managing Committee:

Provided that each apex society shall arrange to have its accounts internally audited in such manner and on periodical or other basis as is deemed proper by the Managing Committee.

Explanation.—(i) "Annual audit" means audit of the accounts of a co-operative society for every co-operative year,

(ii) "running audit" means audit of the accounts of a co-operative society within the co-operative year on monthly or quarterly basis, as is deemed necessary by the Registrar, "re-audit" means audit of the accounts of the co-operative society to check up the quality of audit of the society conducted by any audit officer.

(2) The audit officer shall examine the monetary transactions of a society in so far as may be necessary for the purpose of ascertaining whether there has been material impropriety or irregularity in the expenditure or in the realisation of moneys due to the society and whether any transaction infringes any provisions of the Act, rules or bye-laws, or any directions of the Managing Committee. In case of difference of opinion between the audit officer and the society in regard to the propriety of any of its monetary transactions, the Registrar shall decide the matter and the decision shall be final.

122. **Audit objections and audit report.**—(1) While conducting the statutory audit of a co-operative society the audit officer may issue, from time to time during audit, interim objections to the secretary of the society or to the officer performing the duties of the Secretary for compliance or explaining the effects and irregularities pointed out in such objections within a period not exceeding seven days. The secretary or the officer performing the duties of the secretary, as the case may be, shall return the interim objection sheets with the compliance report to the audit officer within the time specified by the audit officer. The audit officer shall review the compliance report and waive such objections which, in his opinion, have been complied with satisfactorily and shall incorporate the remaining objections in the annual or running audit report, as the case may be.

(2) In addition to what has been stated in sub-section (1) of section 80, the audit report shall state—

(a) whether or not the audit officer has obtained all the information and explanations which he required;

(b) whether or not, in his opinion, the balance sheet and the loss accounts referred to in the report are drawn up in conformity with the law;

(c) whether or not such balance sheet exhibits a true and correct account of the state of the society's affairs according to the best of his information and the explanation given to him and as shown by the books of the society;

(d) whether, in his opinion, books and accounts have been kept by the society as required under the Act, the rules and the bye-laws;

(e) whether there has been any material impropriety or irregularity in the expenditure or in the realisation of moneys due to the society.

(3) Where any of the matters referred to in clauses (a), (b), (c) or (e) of sub-rule (2) is answered in the negative or in the affirmative with any remarks, the report shall state the reason for such answer with facts and figures in support of such reason.

(4) The audit officer shall also award an audit classification to the society, the accounts of which are audited by him, in accordance with the instructions issued from time to time by the Registrar and the Reserve Bank of India.

123. **Doubtful debt.**—If a member fails for three consecutive years without reasonable cause to pay at least 25 per cent. of each of the instalments of principal and interest fixed for repayment of a loan at the time of its issue, then, notwithstanding that on an examination of his assets and the assets of his sureties the debt appears to be covered by the value of such assets, the debt may be considered doubtful:

Provided that notwithstanding the provisions of this rule the Registrar may, on the strength of advice issued from time to time by the Reserve Bank of India, direct any amount of principal and interest thereon remaining due to a society from any of its members to be treated as doubtful debt.

124. **Bad debt.**—(1) When the total amount due by a member to a co-operative society by way of principal and interest exceeds the aggregate of his assets and the available assets of his sureties, and the amount due by way of arrear interest exceeds three years' demand, such excess of his total dues over the total assets shall be considered bad debt.

(2) A doubtful debt, if not recovered after action has been taken under Chapter X or section 126 to recover it or the recovery of which has become barred by limitation, shall be considered bad:

Provided that notwithstanding the provisions of this rule the Registrar may, on the strength of advice issued from time to time by the Reserve Bank of India, direct any amount of principal and interest thereon remaining due to a society from any of its members to be treated as bad debt.

125. **Writing off bad debts.**—(1) Any debt considered bad shall, if so approved by the Registrar, be written off by the general meeting in the order below against—

(a) the bad debt fund, or any fund created out of profits as provision for bad debts;

(b) any other fund created out of profits but not earmarked for any specific purpose;

(c) the reserve fund constituted under section 56.

(2) Where the society is a member of a financing bank and is indebted to it, the Registrar shall consult the financing bank before sanctioning the writing off of any debt.

126. **Rectification of defects.**—A co-operative society shall remove the defects pointed out in the audit report and shall submit to the Registrar a compliance report within sixty days from the date of receipt of an audit report by the society. In special circumstances, the period of sixty days may be extended by the Registrar on the request of the society. If the Registrar is not satisfied with the compliance report submitted by the society, he shall direct it to send further compliance report on the lines specified by him within such time as he may specify, and the society shall make further compliance report to the Registrar within the time specified by him.

127. **Inspection of societies by officers of financing bank.**—An officer of a financing bank or a society who—

(i) is a regular employee of the bank or the society, as the case may be, and has received training, to the satisfaction of the Registrar, necessary for inspecting a society, and

(ii) possesses such qualifications as the Registrar may, from time to time, require for inspection of a society

may be certified as competent to inspect the co-operative societies.

CHAPTER X

Settlement of disputes

128. **Disputes and appointment of arbitrators.**—(1) When the Registrar decides to refer a dispute to a board of arbitrators comprising more than one arbitrator, he shall—

(i) issue a notice calling on each of the parties to nominate one person as its nominee within such time as he may direct, and where a party consists of more than one person, such persons shall jointly make only one nomination;

(ii) nominate the third arbitrator who shall act as a Chairman.

(2) If a party fails to make a nomination within the appointed time, the Registrar may himself make the nomination.

(3) Where three arbitrators are appointed, the opinion of the majority shall prevail.

(4) If one of the arbitrators fails to attend or refuses to work as an arbitrator, the remaining two arbitrators shall proceed with the cases, but in case of difference of opinion between them, the Chairman shall have a casting vote.

(5) If both the arbitrators nominated by the parties fail to attend or refuse to work as such, the remaining arbitrator shall proceed with the case.

129. **Persons qualified to be appointed as arbitrators.**—The Registrar may appoint an arbitrator or arbitrators from—

(a) officers of any department of the State Government;

(b) officers, paid staff or members of co-operative societies;

(c) members, officers or paid staff of the authority constituted under section 81;

(d) members of any local body; or

(e) Chartered Accountants.

130. **Fee for filing disputes, and payment of fees to arbitrators.**—(1) (a) For filing a dispute under section 86 the petitioner shall have to pay fees in court-fee stamps.

(b) In monetary disputes, the fee shall be –

(i) for a claim not exceeding rupees two hundred, two rupees,

(ii) for a claim above two hundred rupees, one rupee for every hundred rupees or part thereof subject to a maximum of rupees five:

Provided that in case of primary agricultural credit societies, primary agricultural marketing societies and a central co-operative bank filing disputes on behalf of the aforesaid classes of societies, the fee shall be, in monetary disputes, two rupees irrespective of the amount of the claim.

(c) In any dispute other than monetary, the fee shall be rupees ten for affairs concerning primary societies other than non-agricultural credit societies, and rupees fifty in respect of the affairs of central, apex and primary non-agricultural credit societies.

(2) The arbitrators, not being departmental officers, shall be eligible to get fees not exceeding the fee payable in terms of sub-rule (1) and the Registrar shall sanction such fees, where necessary.

(3) No fee shall be payable to an arbitrator till the dispute is finally settled.

(4) The Registrar or the Assistant Registrar, as the case may be, shall cause proper account of all receipts and payments under this rule to be maintained in a separate register at his office.

131. **Reference of a dispute.**—(1) A reference of a dispute to the Registrar shall be made in writing in triplicate, and shall be accompanied by—

(a) the names and addresses of the parties;

(b) a statement of the subject matter of the dispute, and

(c) the claim or the relief or both prayed for.

(2) The defendant may, within seven days of the receipt of a summons or notice referred to in sub-rule (2) of rule 132 or within such further period as may be allowed by the arbitrator for sufficient cause being shown, file a written statement of defence before the arbitrator with a copy to the petitioner.

(3) The petitioner and the defendant shall also produce such other statement or records as may be required by the arbitrator, the board of arbitrators or by the Registrar, as the case may be.

(4) Where a plaint is rejected by the arbitrator, the board of arbitrators or the Registrar, as the case may be, reasons for such rejection shall be recorded:

Provided that no order of rejection shall be made without affording the petitioner an opportunity of being heard.

132. **Procedure for disposal of disputes.**—(1) In these proceedings, the arbitrator, the board of arbitrators or the Registrar, as the case may be, shall—

(a) fix the date, hour and the place of hearing of the dispute, and

(b) have power to allow representation by agent, guardian or next friend.

(2) The arbitrator, the board of arbitrators or the Registrar, as the case may be, shall issue summons or notices, at least fifteen days before the date fixed for the hearing of the dispute, requiring—

(i) the attendance of the parties concerned and the witnesses, and

(ii) the production of all relevant books and documents relating to the matter in dispute.

(3) Summons or notices may be served by—

(i) registered post; or

(ii) personal service through the secretary or a member of the staff of the society or any of the parties to the dispute; or

(iii) affixing a copy of the summons or notice at the last-known place of residence or business of the person concerned, when he refuses to sign the acknowledgment or he cannot be traced out even after search for a reasonable period.

(4) Service of summons or notice on the secretary or the Chief Executive Officer, by whatever designation known, shall be regarded as service on that society.

(5) Where the serving officer delivers or tenders a copy of the summons personally to the persons summoned or to an agent or other persons on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered, endorsed on the original summons, as an acknowledgment of service.

(6) The serving officer shall, in all cases in which the summons has been served under clauses (ii) and (iii) of sub-rule (3), cause to be endorsed on, or annexed to, the original summons a return, stating the time when and the manner in which the summons was served, and the name, signature and address of the person, if any, identifying the person concerned and witnessing the delivery or tender of the summons.

(7) The sufficiency of proof of service of the summons or notice shall be decided by the authority which issued the same.

(8) In the case of absence of any party to the dispute duly summoned, the dispute may be decided *ex parte*.

133. **Award or decision.**—(1) The arbitrator shall make a memorandum of the statements of the parties who attend and of such witnesses as are examined or cross-examined, and upon the evidence so recorded and after consideration of any documentary evidence produced by either party shall make an award, in accordance with justice, equity and good conscience. He shall record his award in writing, sign and date it and shall communicate it to the parties.

(2) The award shall contain the number of the reference, the names and description of the parties and particulars of the disputes, and shall specify clearly—

(a) the relief granted,

(b) the amount decreed,

(c) the future interest allowed, if any, and

(d) the cost awarded, if any, indicating the party or parties liable to pay the decretal amount or cost or both and the manner of payment thereof.

(3) If no award is made immediately upon the conclusion of the hearing of the parties, the arbitrator shall fix the date, and place of delivery of the award and shall, except for reasons to be recorded in writing, deliver the award on the date so fixed.

(4) The award shall be communicated to the parties by—

(a) pronouncement of the award before the parties and taking of their signatures on the order sheet as acknowledgment of their presence at the time of pronouncement of the award; or

(b) registered post to any party or parties who may be absent, or who may refuse to sign the order sheet, on such date.

(5) The arbitrator shall have power to order the expense of determining a dispute or the costs of either party, to be paid by such party or parties to the dispute, as he may think fit:

Provided that the expenses or the cost so awarded in a montetary dispute shall not exceed two and half per cent. of the awarded amount.

134. **Withdrawal of a reference by the Registrar.**—The Registrar may,—

(a) on the application by any party to an arbitration proceeding pending before an arbitrator or arbitrators, or

(b) on the application of an arbitrator, other than a Government officer, or

(c) where a Government officer is an arbitrator, in case of resignation, transfer, suspension or dismissal of the arbitrator or any of the arbitrators,

withdraw, for reasons to be recorded in writing, the reference from the arbitrator or the board of arbitrators appointed and may decide the dispute himself by an award in the manner provided in rules 132 and 133 or make fresh appointment of arbitrator or arbitrators.

135. **Execution of decision or awards.**—(1) In any dispute the award of the arbitrator or of the Registrar shall, upon application, be enforceable by any civil court having local jurisdiction in the same manner as a decree of such court as if it were a decree of the court.

(2) When an award in a monetary dispute has been obtained against a society, it shall not be executed except against the assets of the society including amounts due to the society by its members.

Explanation.—For the purposes of rules 132 to 135, the expression "the arbitrator" means the authority which may decide the dispute, whether the authority is the Registrar, or an arbitrator or a board of arbitrators.

136. **Disposal of records.**—(1) The original records of a dispute proceedings, after the decision or award has been delivered, shall be kept in such place and manner as the Registrar may direct.

(2) Any document or record tendered by a party may, on application, be returned to the party after the disposal of appeal, if any, or after the period of appeal.

137. **Certified copies.**—(1) A copy of the decision or award shall, on application, be given to a party by the Registrar duly certified by him on payment of a fee of forty paise for every foolscap page or part thereof typed in double spaces.

(2) Such copies shall be furnished within three weeks from the date of receipt of the application by the Registrar, who may employ part-time typist-copyists for the work, where necessary, on payment of remuneration not exceeding twenty-five paise for each foolscap page or part thereof, typed in the manner as indicated above.

CHAPTER XI

Winding up and dissolution of co-operative societies

138. **Winding up obligatory on the Registrar.**—Where the Registrar has cause to believe that a co-operative society—

(i) has not commenced working within a period of twelve months from the date of registration, or

(ii) has not carried on business during the previous eighteen months,

he shall, after giving the society a notice in such manner as he thinks fit, by an order in writing, direct that the society be wound up.

139. **Order for winding up of a co-operative society.**—When the Registrar passes an order under section 89 directing the winding up of a co-operative society, he shall—

(a) publish the order—

(i) if the liability of the society exceeds ten thousand rupees, in the Official Gazette; and

(ii) in any other case, in such manner in the locality as he may think fit;

(b) communicate the order to the society by registered post, and

(c) send, by registered post, a copy of the order to the financing bank, if any, of which the society is a member.

140. **Appointment and removal of liquidator.**—(1) The liquidator shall be appointed—

(a) in case of the societies having annual transactions of rupees five lakhs or above, from amongst the Chartered Accountants or the departmental officers, serving or retired, and

(b) in any other case, from amongst the departmental officers, serving or retired.

(2) The appointment and removal of a liquidator shall be published—

(a) if the liability of the society exceeds ten thousand rupees, in the Official Gazette; and

(b) in any other case, in the locality in such manner as the Registrar may think fit.

141. **Remuneration of liquidators.**—The liquidator may be allowed such remuneration not exceeding two and half per cent. of the assets of the society, as the Registrar may decide. Such remuneration may be fixed to cover all costs incidental to the liquidation and shall be met out of the assets of the society.

142. **Publication of notice.**—Immediately after the date on which the order directing the winding up of the society takes effect, the liquidator shall publish, in such manner as the Registrar may direct, a notice in the form set forth in the schedule requiring all claims against the society to be forwarded to him within one month of the publication of the notice.

143. **Submission of accounts by the liquidator before the Registrar.**—(1) The liquidator shall submit to the Registrar an account of the receipts and payments, in the form prescribed for cash account under rule 120 for audit,—

(a) within three months after the close of every co-operative year,

(b) where an order under section 89 is set aside on appeal, within fifteen days from the date of such setting aside and before handing over of charge in terms of sub-section (3) of section 91, and

(c) fifteen days before making a final report to the Registrar in terms of sub-section (9) of section 91, when the affairs of the co-operative society concerned have been wound up.

(2) In addition, the liquidator shall also submit to the Registrar such accounts, reports and returns, in such form and in such manner, as the Registrar may require, from time to time.

144. **Meetings of members and creditors.**—The liquidator may at any time call meetings of the members, or of the creditors, or joint meetings of the members and creditors; and such meetings shall be called, held and conducted at such time and place and in such manner as the liquidator thinks fit.

145. **Issue of summons, notice, etc., by a liquidator.**—(1) The liquidator may issue summons to persons whose attendance is required either to give evidence or to produce documents.

(2) The liquidator shall himself arrange for service of summons and shall send warrants, if any, for execution to the District or Subdivisional Magistrate concerned.

146. **Liquidator to keep notes of deposition.**—The liquidator shall keep short notes of the depositions of persons whose evidence he may have taken.

147. **Recovery by certificates.**—If the liquidator fails to recover the assets of the society amicably and decides to proceed under the Bengal Public Demands Recovery Act, 1913, he shall submit to the Collector in the form prescribed under the said Act (printed in the Bengal Certificate Manual) a requisition for a certificate against each contributor for the amount of his contribution and shall thereafter proceed according to the instructions in the Bengal Certificate Manual.

148. **Banking accounts of liquidator.**—(1) The liquidator shall open an account with such bank, as the Registrar may approve, in the name of the "Liquidator of the.....Society".

(2) All moneys received in course of the winding up of the society shall be paid into such account at the bank immediately after receipt thereof.

(3) All payments out of the aforesaid banking account shall be made by the liquidator by cheques or withdrawal order signed by him and shall be accounted for in the record maintained for the purpose in the office of the liquidator.

149. **Distribution of assets.**—(1) The audit fees due and payable in terms of sub-section (7) of section 91, if any, and all costs, charges and expenses incurred in the winding up of the society, including the remuneration of the liquidator, shall be payable in priority to all other claims.

(2) After the liabilities other than owned capital as they stood on the date of order of winding up are paid off, the assets, if any, left with the liquidator may be employed, subject to the approval of the Registrar, for the following purposes in the order of priority—

(i) proportional refund to members of any contributions realised from them in addition to their own personal debts;

(ii) *pro rata* refund of share capital; and

(iii) *Pro rata* payment of dividend on the shares, if any, at a rate not exceeding six per cent. *per annum* for the period of liquidation.

150. **Meetings of members at the conclusion of liquidation proceedings.**—(1) At the conclusion of the liquidation proceedings the liquidator shall call a general meeting of the members at such time and place and in such manner as he thinks fit and place before such meeting—

(i) a summary of his proceedings;

(ii) a report of the causes of the failure of the society.

(2) The members at such meeting, after due consideration of the report placed by the liquidator, may, by a resolution, request the Registrar to cancel the registration or the order for the winding up of the society, as they think fit.

If there be a quorum at such meeting and the resolution is carried by three-fourths of the members present, it shall be binding upon the Registrar.

(3) When no general meeting of members can be held, the liquidator shall report the fact to the Registrar, and the Registrar may, for reasons to be recorded in writing, dispense with the provisions of sub-rule (1) and sub-rule (2).

151. **Final report of liquidator and termination of proceedings.**—(1) After the liquidation proceedings of a society have been closed, the liquidator shall submit a final report to the Registrar together with a copy of his report and the resolution, if any, referred to in rule 150.

(2) On receipt of the final report from the liquidator, the Registrar shall terminate the liquidation proceedings by cancelling either the registration or the order for the winding up of the society.

152. **Termination of liquidation proceedings within a specified time obligatory on Registrar.**—The liquidation proceedings of a society shall be closed within a period of two years from the date of the order of winding up:

Provided that such period can be extended, from time to time, by the Registrar, for reasons to be recorded in writing, by an aggregate period of not more than three years.

Explanation.—In the case of a society which is under liquidation at the commencement of these rules, the order for the winding up of the society shall be deemed to have been passed on the date on which these rules come into operation.

153. **Disposal of books, etc., by the liquidator.**—Upon the termination of liquidation proceedings, all books, registers and accounts belonging to the society and all books, accounts and papers relating to the liquidation proceedings, which are in possession of the liquidator, shall be deposited with the Registrar or such person as the Registrar may direct.

154. **Period after which the responsibility of the Liquidator, Registrar, etc., to cease for custody of documents.**—After the expiry of three years from the date of the order passed under rule 151, no responsibility shall rest on the liquidator, or the Registrar or any person to whom the custody of the documents may have been committed, by reason of the same not being forthcoming to any person claiming to be interested therein.

CHAPTER XII

Special provisions for Co-operative Land Development Bank, Central Co-operative Bank, Primary Co-operative Credit Society and Apex Housing Society.

155. **Purposes for which land development bank may grant loan.**—The purposes in addition to the productive purposes specified in clause (2) of the explanation to clause (k) of section 2 for which a co-operative land development bank may grant loans to its members are the following namely:—

(i) Piggery.

(ii) Dairy development.

(iii) Deposit with the State Electricity Board for high or low tension lines for energising electrical motors including construction of field channels and pump houses.

(iv) Barbed and stone fencing around agricultural lands.

(v) Fishery.

(vi) Orchard plantation.

156. **Notice under section 94.**—The notice, referred to in sub-section (1) of section 94, shall be in the form set forth in the schedule and be issued by registered post with acknowledgment due.

157. **Procedure for dealing with application for loan from land development bank.**—(1) On receipt of an application for loan referred to in sub-section (1) of section 95, the manager or the Chief Executive Officer or any other officer having other designation but performing the functions of the Chief Executive Officer of the co-operative land development bank, as the case may be, shall cause such application to be immediately entered in the register maintained for the purpose, and within three days of its entry in such register forward such application to an officer to be called the public inquiry officer (hereinafter called the officer).

(2) On receipt of such application, the officer shall, within a period of seven days from the date of receipt, cause publication of notice of such application, in such form as may be set forth in the schedule, by beat of drum

in the village or villages where the applicant resides and the land proposed to be improved or offered as security for the loan is situated. The officer shall also cause a copy of such notice to be exhibited on the notice board of the offices of—

(a) the Block Development Officer, the Sub-Registrar and the Panchayat situated in the aforesaid village or villages, if any, or nearest to such villages, and

(b) the local central co-operative bank, the land development bank concerned and the Assistant Registrar of co-operative societies of the concerned range.

(3) The publication of the aforesaid notice, in the manner specified in sub-rule (2), shall be completed at least clear eight days before the date fixed in such notice for hearing of objection.

(4) At the place, and on the date, fixed in such notice, the officer shall hear such objection, if any, and may, on application, on sufficient cause being shown, adjourn the hearing of such objection from time to time, for an agreegate period not exceeding fifteen days.

(5) A petition of objection and a petition for adjournment for hearing of such objection shall bear a court-fee stamp of seventy-five paise.

(6) The officer shall complete the hearing of such objection and make his order referred to in sub-section (2) of section 95 within a period not exceeding twenty-one days from the date fixed in such notice for hearing of such objection and shall immediately thereafter forward the proceedings in respect thereof to the land development bank (hereinafter referred to as the bank) concerned by registered post or by messenger, under intimation to the Registrar.

(7) Where the officer finds unable to complete the hearing of such objection and make an order referred to in sub-section (2) of section 95 within the period referred to in sub-rule (6), he shall immediately apply to the Registrar, under intimation to the bank concerned, for such time for disposal of such application as he thinks necessary, stating in writing the reasons therefor, and the Registrar shall, as early as possible, grant such time as he thinks fit, and the officer shall thereafter dispose of such application accordingly.

(8) All expenses to be incurred by the officer in connection with the disposal of such application for loan shall be borne by the bank concerned.

(9) Pending receipt of the report of the officer, the bank shall complete preliminary inquiry in connection with such application for loan, and on receipt of such report the bank shall—

(a) undertake such further inquiry as it thinks necessary,

(b) value the land concerned according to the instructions issued in this connection by the Registrar and the central land development bank, from time to time,

(c) estimate the repaying capacity of the applicant for loan, and

(d) examine the feasibility and utility of the proposed improvement or productive purpose,

and thereafter dispose of such application for loan within a month from the date of receipt of the report in that connection from the officer.

(10) If the bank finds unable to dispose of such application within the period referred to in sub-rule (9), it shall immediately apply to the Registrar for such time as it may think fit, stating reasons therefor, and the Registrar shall immediately grant such time as he thinks fit, and the bank shall dispose of such application accordingly.

(11) Where an application for loan is rejected, the reasons therefor shall be communicated by the bank to the applicant within seven days of its decision, and where a loan is sanctioned, the bank shall simultaneously lay down the terms and conditions subject to which such loan has been sanctioned and communicate its decision in respect thereof to the applicant, fixing therein a date, not later than fifteen days from the date of issue of such communication on which the mortgage deed, if any, is to be executed and the loan sanctioned or the first instalment in respect thereof is to be handed over to the applicant:

Provided that if the time schedule mentioned in sub-rules (1), (2), (3), (4), (5) and (11) cannot be maintained for any unavoidable reasons, the Registrar may, on being satisfied about the genuineness of the reason, condone the delay.

(12) When any of the actions referred to in sub-rules (1), (2), (3), (4) and (11) be not taken within the period prescribed by the respective sub-rule, the Registrar may, on being satisfied that there was sufficient cause for the delay in taking action, condone such delay.

(13) The applicant shall, immediately after receiving amount of the loan or the first instalment in respect thereof, as the case may be, purchase shares of the bank issuing the loan to such extent as may be required under the bye-laws of such bank, and such bank shall immediately issue necessary receipts to the applicant in respect thereof.

158. **Procedure for appointment of distrainer.**—On receipt of an application from a co-operative land development bank, a central co-operative bank or a primary co-operative credit society, as the case may be, signed and verified by the Secretary and the Manager or any other person duly authorised by the Managing Committee in this behalf setting forth full particulars of the property required to be distrained, the Registrar shall, if satisfied that the particulars set forth in the application are correct, appoint a distrainer:

Provided that no distrainer shall be appointed unless the applicant deposits such security for cost of the distraint and sale, as the Registrar may direct.

159. **Powers and functions of the distrainer.**— (1) The distrainer on appointment shall serve upon the defaulter a written demand specifying the amount for which the distraint is made. The demand shall be dated and signed by the distrainer and shall be served on the defaulter by delivering a copy to him or some adult male member of his family at his usual place of abode; or when such service cannot be effected, by affixing a copy of the demand on some conspicuous part of the abode and of his land.

(2) Simultaneously with the service of notice the distrainer shall cause the property specified in the application to be attached by affixing an order of attachment in the form set forth in the schedule—

(a) where such produce is a growing crop on the land on which such crop has grown; or

(b) where such produce has been cut or gathered on the thrashing floor or place for treading out grain or the like or fodder stack on or in which it is deposited;

and another copy in a conspicuous manner on the outer door of the premises where he resides or works or is known to have last resided.

(3) Where agricultural produce is attached, the distrainer shall make such arrangement for the custody thereof, as he may deem sufficient.

(4) Subject to such condition as may be imposed by the distrainer, the defaulter may tend, cut, gather and store the produce and do any other act necessary for maturing or preserving it; if the defaulter fails to do all or any of such acts, the distrainer may do all or any of them, either by himself or by any person appointed by him in this behalf, and the costs incurred by the distrainer shall be recoverable from the defaulter, as if they were included in, or formed part of, the order of attachment.

(5) Agricultural produce, attached as a growing crop, shall not be deemed to have ceased to be under attachment or to require re-attachment, merely because it has been severed from the soil.

(6) Crops, which are perishable and do not admit of being stored, may be sold before they are cut, or gathered.

(7) No distraint shall be made before sunrise and after sunset.

160. **Sale of distrained property.**—(1) If within seven days from the date of the service of the demand the defaulter does not pay the amount for which a distraint has been effected, the distrainer may sell, in auction, the distrained property or such part thereof in one or more lots as may, in his opinion, be necessary to satisfy the demand together with the expenses of the distraint and the costs of the sale.

(2) Before a sale is actually made, the distrainer shall cause proclamation of the time and place of the intended sale by beat of drum in the village in which the defaulter resides or the produce is kept and in such other place or places as the distrainer may consider necessary to give due publicity to the sale:

Provided that the sale may be made in the nearest bazar or other place of public resort, if the distrainer is of opinion that a better price is likely to be obtained there.

(3) The sale shall be made to the highest bidder, who shall be required to pay at least fifty per cent. of the purchase money in cash immediately and the balance within a period not exceeding five days, and the purchaser shall not be permitted to carry away any part of the property until the full amount of the purchase money is paid.

(4) If the purchaser fails to pay the balance of the purchase money, the amount already paid by him shall be forfeited to the bank or to the society, as the case may be, and the property shall be re-sold and the proceeds of such re-sale shall be applied in the manner provided in section 100. Any deficiency of price which may ensue from the re-sale and the expenses connected with such re-sale shall be certified by the distrainer and shall be recoverable as follows:—

(i) from the amount paid by the defaulting purchaser and forfeited to the bank or to the society as the case may be;

(ii) the balance, if any, from the defaulting purchaser through a civil court having competent jurisdiction.

(5) No distrainer or any person employed by or subordinate to him shall purchase, either directly or indirectly, any property distrained and put up for sale under these rules.

(6) From the proceeds of such sale, a deduction, at the rate not exceeding six paise in a rupee, may be made on account of the costs of the sale.

(7) Balance of the sale proceeds shall be distributed as laid down in section 100.

(8) If at any time before the sale takes place the defaulter or any person on his behalf deposits with the distrainer or with the land development bank or the central co-operative bank or the primary co-operative credit society concerned the amount for which the attachment was made together with such costs as may have been incurred up to the date of deposit for causing the distraint, the property attached shall be released.

161. **Investigation of claims, etc.**—(1) Where any written claim is preferred by any person other than the defaulter to any right or interest in the distrained property, the distrainer may, after being *prima facie* satisfied with the claim and on payment of rupees ten, refer the claimant to the Registrar and may stay the sale and shall also inform the land development bank, the central co-operative bank or the primary co-operative credit societies, as the case may be, of the claim:

Provided that if the property distrained is of a perishable nature, he shall forthwith sell the property in the presence of the claimant and keep in custody the sale proceeds.

(2) The Registrar, on receipt of a claim to a distrained property, shall forthwith notify the distrainer and also the land development bank, the central co-operative bank or the primary co-operative credit society, as the case may be, of such claim and may stay the sale.

(3) The Registrar shall investigate the claim and shall pass such orders as he thinks proper, and communicate his orders to the distrainer who shall act accordingly:

Provided that the Registrar may, if he thinks fit, refer the claim to the civil court:

Provided further that if the claim is not substantiated, the deposit of rupees ten mentioned in sub-rule (1) shall be forfeited and paid to the bank.

(4) If no application is made to the Registrar within seven days of the date of the claim made under sub-rule (1), if any, the distrainer shall, without further delay, proceed with the sale.

162. **Private alienation of property after attachment to be void.**—When an attachment has been made under these rules, any private transfer or delivery of the property attached, or of interest therein, and any payment to the defaulter of any debt or other money contrary to such attachment shall be void as against all claims enforceable under attachment.

163. **Appointment of Sale Officer.**—(1) The Registrar may appoint any Officer subordinate to him or any other suitable person to conduct sales of property under the provisions of Chapter XII of the Act.

(2) The appointment of a Sale Officer shall be notified in the area of operation of a co-operative land development bank, a central co-operative bank or the apex housing society for which he is appointed, in such manner as the Registrar may deem proper.

164. **Notice requiring payment from persons interested.**—The notice under section 103 shall be in the form set forth in the schedule and shall be sent to all concerned by registered post with acknowledgment due. If, however, service by registered letter cannot be effected for any reason, the notice shall be delivered by hand taking proper receipt or affixed at the places of residence of all concerned.

165. **Procedure for sale of immovable property.**—(1) An application to a Sale Officer for sale of any mortgaged property shall be signed by the secretary or the manager of the co-operative land development bank, central co-operative bank or apex housing society or any person duly authorised by the managing committee to do so and shall --

(a) contain sufficient details for the identification of the property, as also a copy of the mortgage bond;

(b) show the names of all persons having interest in the property as laid down in section 103;

(c) contain a report regarding the manner of service of notice under section 103;

(d) specify the amount due for recovery including interest and the expenses incurred in the service of the notice, and other contingencies; and

(e) contain any other particulars which the land development bank, central co-operative bank or apex housing society, as the case may be, may consider material for the purchases to know in order to judge the nature and value of the property.

(2) On receipt of the application for sale of the mortgaged property the Sale Officer shall give notice by registered post or by personal service under proper receipt to all persons named in the application that he intends to sell the property after the expiry of thirty days from the date of service of such notice unless the amount due (including cost to the bank) is paid within that period:

Provided that if the service of the notice cannot be effected in the manner prescribed by this sub-rule for any reason, the notice concerned may be affixed in a conspicuous place of his residence.

(3) On the expiry of thirty days from the service of the notice the Sale Officer shall proceed to sell the property by auction and for that purpose shall cause a proclamation of the time and place of the intended sale to be made in the language of the district and shall also specify as fairly and accurately as possible—

(a) the property to be sold;

(b) the annual rent payable for such property,

(c) the amount for the recovery of which the sale is ordered; and

(d) any other particulars which the Sale Officer considers material for a purchaser to know in order to judge the nature and value of the property.

(4) Every proclamation for the sale of immovable property shall be made at some place on or near such property by beat of drum, and a copy of the proclamation shall be affixed on a conspicuous part of the office of the land development bank, the central co-operative bank or the apex housing society, as the case may be.

(5) The sale shall be made by public auction to the highest bidder.

(6) The Sale Officer shall have the power to divide a property into lots, if he thinks it necessary in the interest of the debtor or the bank or the society.

(7) Where the property is divided into lots for the purpose of being sold separately, it shall not be necessary to make a separate proclamation for each lot.

(8) The sale shall be held in the village or the ward where the mortgaged property is situate or at the nearest place of public resort, if the Sale Officer is of opinion that a better price is likely to be obtained there.

(9) All costs for the issue of the sale notice and for the proclamation of such sale shall be paid by the land development bank, the central co-operative bank or the apex housing society, as the case may be, on a scale fixed by the Registrar.

166. **Abandonment of sale.**—(1) Where prior to the actual sale the mortgagor or any person acting on his behalf or any person having interest in the mortgaged property tenders payment of the full amount due including interest and cost incurred in connection with the sale of the property, the Sale Officer shall not proceed with the sale:

Provided that the sale cannot be abandoned at the instance of the bank concerned unless the entire overdue demand is satisfied in full.

(2) If the Sale Officer considers that the price offered for the property is not fair, he may, upon the application of the owner of the property or some person authorising to act on his behalf, or the land development bank, central co-operative bank or apex housing society concerned, postpone the sale to some other date not later than fifteen days from the date originally fixed, and on such date the sale shall be completed unless the price offered is, in the opinion of the Sale Officer, grossly inadequate.

(3) If the price offered is, in the opinion of the Sale Officer, grossly inadequate, the sale shall be postponed to another date, and it shall be sufficient proclamation if the time and place of the postponed sale mentioned in sub-rule (2) and sub-rule (3) and the nature of the property to be sold are announced by beat of drum at some place on or near such property:

Provided that the Sale Officer shall not postpone the sale more than two times on the ground of inadequacy of price:

Provided further that the Sale Officer shall complete the sale during the period of ninety days from the date of receipt of the case. The Registrar may, however, extend the date, if considered necessary, by not more than another ninety days.

167. **Method of calculating expenses incidental to sale of property.**—The Sale Officer shall determine in each case the method of calculating the expenses incidental to the sale of the property:

Provided that the Registrar may review the case so determined by the Sale Officer.

168. **Procedure for the receipt, deposit, etc.**—(1) On every sale of property, the person declared to be the purchaser shall pay, immediately after such declaration, a deposit of twenty-five per cent. on the amount of his purchase money to the Sale Officer who shall issue a temporary receipt for such deposit, and in default of such deposit, the property shall forthwith be re-sold.

(2) The balance of purchase money shall be paid by the purchaser to the Sale Officer on or before the fifteenth day after the date of sale.

(3) On payment of the balance of the purchase money, the Sale Officer shall grant a final receipt for the entire sale price.

(4) All money received by the Sale Officer on the sale of mortgaged property shall, as soon as possible but not later than seven days after such receipt, be deposited in the co-operative land development bank, the central co-operative bank or the apex housing society, as the case may be.

169. **Procedure in default of payment of full amount of purchase money.**—(1) If the balance of the purchase money, referred to in sub-rule (2) of rule 168, is not paid within the specified period, the deposit shall be forfeited to the bank or the society, and the property shall be re-sold.

(2) The defaulting purchaser shall forfeit all claims to the property or to any part of the deposit of the sum for which the property may subsequently be sold.

(3) Every re-sale, in default of payment of the purchase money within the period allowed for such payment, shall be made after the issue of a fresh proclamation and in the manner hereinbefore prescribed for the sale.

(4) Any deficiency of price which may ensue from a re-sale by reason of the purchaser's default and all expenses attending such re-sale shall be certified by the Sale Officer, and shall be met out of the forfeited deposit referred to in sub-rule (1). The amount, which cannot be so met, shall be recoverable from the defaulting purchaser, on application before a civil court having jurisdiction:

Provided that no such application shall be entertained unless made within thirty days of the date of re-sale.

170. **Application to set aside a sale.**—An application under section 105 to have a sale set aside shall be made within thirty days of the date of the sale:

Provided that the Registrar may, for reasons to be recorded in writing, entertain an application beyond the period of thirty days.

171. **Return of purchase money and compensation.**—(1) Where a sale is set aside on an application under section 106, the Registrar shall intimate to the land development bank or the society concerned his order setting aside the sale, and on receipt of such order the managing committee of the bank or the society concerned shall issue a notice to the purchaser to appear on a date specified in the notice at the office of the bank or the society concerned and receive repayment of the purchase money and such compensation as may be due to him.

(2) In the event of a dispute regarding the claim to the purchase money and compensation, the bank or the society concerned shall withhold payment and refer the disputants to the proper court for adjudication of their claim.

(3) The purchase money and compensation shall remain with the bank or the society concerned till the dispute is decided by a court.

172. **Form and method of submission of a report.**—The report to the Registrar under sub-section (1) of section 106 shall contain the following particulars:—

(1) Name of Sale Officer.

(2) Date of sale.

(3) Place of sale.

(4) Description of property sold.

(5) Name of purchaser and address.

(6) Value realised.

(7) Amount of claim of the bank including interest.

(8) Cost of sale.

(9) Application, if any, under section 105 and manner of disposal of such application.

173. **Form of notice to be served on landlord by purchaser shall be in the form annexed in the schedule.**—(1) The Registrar shall grant a sale certificate to the purchaser in the form set forth in the schedule.

(2) A purchaser of any mortgaged property shall supply to the Registrar a notice, in the form set forth in the schedule, for service on the State of West Bengal through the Collector of the district concerned.

(3) The purchaser shall pay a fee of two rupees for service of notice referred to in sub-rule (2).

(4) The notice shall be served on the State of West Bengal through the Collector of the district concerned, as the case may be.

174. **Delivery of possession by Registrar to purchaser.**—(1) Where the mortgaged property sold is in the occupancy of the mortgagor or of some person on his behalf or of some person claiming under a title created by the mortgagor subsequent to the mortgage in favour of the land development bank, the central bank or the apex housing society and a certificate in respect thereof has been granted under section 108, the Registrar shall, on the application of the purchaser, order delivery to be made by putting such purchaser, or any person whom he may appoint to receive delivery on his behalf, in possession of the property.

(2) Where the property sold is in the occupancy of a tenant or other person entitled to occupy the same and a certificate in respect thereof has been granted under section 108, the Registrar shall, on the application of the purchaser, and after notice to such tenant or other person, order delivery to be made by affixing a copy of the certificate of sale in some conspicuous place on the property and proclaiming to the occupant by beat of drum at some convenient place that the interest of the mortgagor has been transferred to the purchaser.

(3) In regard to the cases dealt with in sub-rules (1) and (2), the provisions of rules 97 to 103 of Order XXI of the First Schedule to the Code of Civil Procedure, 1907, shall, *mutatis mutandis* and so far as may be, apply.

175. **Procedure for the disposal of property purchased by land development bank.**—(1) Unless otherwise directed by the trustee, a purchasing bank or society concerned shall dispose of the property, purchased by it, by public auction, on a specified date not later than one year from the date of purchase.

(2) The sale shall be previously advertised by—

(a) advertising the property with full details in the local newspaper;

(b) proclamation by beat of drum in the village where it is situate; and

(c) publication of the sale notice in the office of—

(i) Junior Land Reforms Officer concerned,

(ii) the Collector of the district,

(iii) the Block Development Officer of the area concerned, and

(iv) Panchayat of the area in which the property is situate.

176. **Appointment of receiver and his duties, powers, functions and remuneration.**—(1) On an application by a land development bank, a central co-operative bank or the apex housing society, the Registrar may, by an order in writing, appoint a receiver. The receiver so appointed shall be entitled either to take possession of the property or collect its produce and income as the case may be, to retain, out of the money realised by him, his expenses of management including his remuneration, if any, as may be fixed by the Registrar in consultation with the bank or the society, and to apply the balance in accordance with the provisions of sub-section (8) of section 69A of the Transfer of Property Act, 1882.

(2) The receiver shall open an account with the nearest central co-operative bank or the unit of the State co-operative bank.

(3) All moneys received shall be paid immediately into such account.

(4) The receiver shall duly—

(a) account for all sums of money which he may receive in respect of the property; and

(b) submit his accounts at the end of every month to the land development bank, the central co-operative bank or the apex housing society and at the same time forward a copy thereof to the Registrar.

(5) A receiver appointed under this rule may, for just and sufficient cause or on application made by the co-operative land development bank, the central co-operative bank or the apex housing society, be removed by the Registrar.

(6) A vacancy in the office of the receiver may be filled up by the Registrar.

177. **Procedure, if value of property rendered insufficient.**—(1) When a member fails to give further security required by a land development bank, a central co-operative bank or the apex housing society, as the case may be, under section 114, the bank or the society may, and if directed by the Registrar shall, proceed to take action for the recovery of the loan outstanding in the manner provided in Chapter XII of the Act and the rules framed thereunder.

(2) The value of the security to be furnished for obtaining any loan from any co-operative land development bank shall be equal to the total value of the land to be mortgaged and the cost of the improvement to be effected. The amount of loan to be advanced as aforesaid shall not exceed fifty per cent. of the said total value of the land and the cost of improvement.

(3) A security shall be deemed to be insufficient, if the value of the residue of the property does not exceed the loan outstanding by one-third of such loan or by such other greater proportion, as may be provided in the bye-laws of the bank or the society, as the case may be.

178. **Action to be taken, if bank fails to proceed under section 99 or 101 or 114.**—If on a report of the Registrar or any officer authorised to inspect such banks it appears to the trustee of the central land development bank that a land development bank has neglected or failed to take action against a mortgagor under section 99, 101 or 114, as the case may be, the trustee of the central land development bank shall be entitled, after giving both the mortgagor and the land development bank an opportunity to file any objection, to take action against the mortgagor for the recovery of the loan.

179. **Fees payable to Collector for notifying encumbrances.**—(1) The fee payable to the Collector under clause (b) of sub-section (2) of section 117 shall not exceed half per cent. of the value of the notified property, subject to a maximum of two rupees.

(2) The fee shall be accompanied by a statement containing material particulars in respect of the mortgage deed executed in favour of the bank or the society, as the case may be.

CHAPTER XIII

Enforcement of obligations and recovery of sums due

180. **Restriction on issue of warrants.**—No warrant for enforcing attendance of witnesses shall be issued, without the previous sanction of the Registrar, by an audit officer, an arbitrator, a liquidator or any other person conducting an enquiry or inspection under Chapter IX of the Act.

181. **Procedure for conditional attachment of property.**—(1) An application to the Registrar for a conditional order of attachment shall contain—

(a) full details of the property to be attached, its estimated value and the claim of the society; and

(b) evidence in support of the contention that the person or the co-operative society concerned is about to remove or dispose of the property.

(2) Order of attachment, if any, passed by the Registrar shall be served by such person as the Registrar may empower. The person so empowered shall follow, as far as possible, the procedure laid down in Order XXI of the First Schedule to the Code of Civil Procedure, 1908.

182. **Power under section 126.**—District Auditor of Co-operative Societies and Co-operative Development Officers may exercise the power under section 126, when the claim does not exceed Rs. 2,000, and Inspectors of Co-operative Societies may exercise the said power, when the claim does not exceed Rs. 1,000.

183. **Procedure of disposal of proceedings drawn up by the Registrar under section 127.**—When the Registrar holds an enquiry under section 127, he shall draw up proceedings against the officer concerned, showing the charges against him and shall—

(i) supply the officer concerned with a copy of the proceedings and a summary of the evidence which, *prima facie*, appears;

(ii) call on the officer to furnish his explanation within a fortnight;

(iii) receive and record such evidence as may be adduced; and

(iv) record a decision as early as possible but not later than three months from the date of drawing up proceedings.

184. **Culpable negligence.**—Negligence in the following matters shall be deemed culpable within the meaning of clause (b) of sub-section (1) of section 127, namely—

(i) investment, custody and employment of funds and use or disposal of stores or other assets or properties contrary to the provisions of the Act, rules or bye-laws or any written direction of the Registrar given in accordance therewith;

(ii) failure to remedy audit defects and irregularities, when directed by the Registrar under section 80; and

(iii) failure to file disputes against defaulters and to execute any decree or award within the period of limitation.

185. **Penalty for certain misdemeanour under section 128.**—If no cause is shown within a specified time or the cause shown is not considered satisfactory, the Registrar may order a penalty for every contravention referred to in—

(i) clauses (a) and (b) of section 128—a sum not exceeding fifty rupees;

(ii) clauses (c) and (d) of section 128—a sum not exceeding one-half of the amount of the loan (in addition to enforcing immediate repayment of the entire loan to the society or the financing bank concerned).

186. **Officer responsible for carrying out the direction of Registrar.**—(1) In deciding under section 129 which officer is to be held responsible for the carrying out of his directions, the Registrar shall always consider the secretary or the Chief Executive Officer of the society, by whatever designation he may be called, to be responsible unless there is anything in the bye-laws, or in any resolution of the general meeting or the managing committee by which a particular duty is entrusted to any officer other than the secretary or the Chief Executive Officer.

(2) In accordance with sub-rule (1), the Registrar may call on such person. as he may hold responsible, to carry out any of his directions within such time as he may specify, and on his failure, may take action against him under section 129.

CHAPTER XIV

Jurisdiction, Appeal and Revision

187. **Co-operative Tribunal.**—(1) The co-operative tribunal, referred to in section 133, shall consist of not more than three members of whom there shall be a President, when such tribunal shall consist of more than one member; and the President shall be either a serving or retired High Court Judge or a serving or retired member of the West Bengal Higher Judicial Service.

(2) A person shall not be qualified for appointment as a member of the co-operative tribunal unless—

(a) he is a serving or retired member of the West Bengal Higher Judicial Service,

(b) he has served as Registrar of Co-operative Societies or Additional Registrar of Co-operative Societies in any State, or

(c) for at least ten years he has been a practising lawyer in any court in West Bengal, and since the last five years actively associated with the co-operative movement in the State.

(3) The tribunal shall have a Secretary to be appointed by the State Government by notification in the Official Gazette. Such Secretary shall perform such functions as shall be assigned to him by the tribunal or by regulations made under sub-section (7) of section 133.

(4) The method of disposal of its business by the co-operative tribunal (hereinafter referred to as the tribunal) shall, till it makes regulations under sub-section (7) of section 133, with the previous approval of the State Government, for regulating its procedure and disposal of its business, be as follows:—

(a) every memorandum of appeal, application for review shall be presented in person by the appellant or the applicant, as the case may be, or by his pleader or duly appointed agent to the Secretary, West Bengal Co-operative Tribunal within office hours of the tribunal or sent to such secretary by registered post.

Explanation: 'pleader' means a pleader as defined in clause (15) of section 2 of the Code of Civil Procedure, 1908.

(b) Where a memorandum of appeal or application for review is signed and presented by a pleader or an agent, it shall be accompanied by a vokalatnama bearing a court fee stamp of Re. 1 or a letter of authority, as the case may be, appointing him as such and duly signed by the appellant or the applicant, as the case may be.

(c) Every memorandum of appeal or application for review shall—

(i) be either type-written or written in ink in legible handwriting;

(ii) state the name and address of the appellant or applicant, as the case may be, and also those of the respondent or the opposite party, as the case may be;

(iii) state the date of the order complained of and the authority by which the order was passed;

(iv) state clearly the grounds on which the memorandum of appeal or the application for review is made;

(v) state precisely the relief that the appellant or the applicant claims;

(vi) bear a court fee stamp of rupees two in case of memorandum of appeal and of rupees five in case of application for review.

(d) Every memorandum of appeal or application for review shall be accompanied by a certified copy of the award or order complained of. The memorandum of appeal or the application for review, as the case may be, shall be further accompanied by as many copies of the memorandum or the application as there are respondents or opposite parties.

(e) No memorandum of appeal or application for review shall be accepted by the secretary unless it conforms to the provisions of clause (b), clause (c) and clause (d) above.

(f) On receipt of every memorandum of appeal or application for review, the secretary shall endorse on it the date of its receipt. The secretary shall, as soon as practicable, examine—

(i) whether the person presenting it has authority to do so;

(ii) whether it is made within the period of limitation (if any) laid down in the Act; and

(iii) whether it conforms to the provisions of the Act and these rules.

If the secretary is satisfied on these points, he shall cause the memorandum of appeal or the application to be registered in an appropriate register maintained under clause (g).

If the secretary finds that the memorandum of appeal or application presented to him does not conform to any of the aforesaid provisions, he shall make a note to that effect and call upon the party concerned or his pleader or agent, to remedy the defects within a period of seven days from the date of receipt of notice requiring him to do so. The secretary may, for sufficient cause extend the period for the purpose of remedying the defects:

Provided that if the extension of more than fifteen days is sought for, the secretary shall place the matter before the tribunal and obtain its order in that behalf.

If the defect in the memorandum of appeal or application is remedied the secretary shall cause it to be registered in the appropriate register.

(g) The secretary shall maintain separate registers for—

(i) memoranda of appeal in Form A;

(ii) applications for review in Form B;

(iii) miscellaneous applications in Form C;

(iv) unregistered memoranda of appeals and applications in Form D;

(v) court fees received in Form E.

These Forms are set out in the appendix to this Chapter.

(h) When a memorandum of appeal or an application has been registered, the secretary shall, as soon as may be, send an intimation thereof to the Registrar of Co-operative Societies or other officer concerned, calling for the records and proceedings relating to such memorandum of appeal or application unless those records and proceedings are already in the office of the tribunal.

(i) After the registration of the memorandum of appeal or application the tribunal shall fix a date of hearing of the same. After the date of hearing is fixed a notice in Form F (contained in the appendix to this Chapter) shall be served by the Secretary on the parties concerned calling upon them to appear before the tribunal either in person or through their pleader or agent on the date specified in the notice or on any subsequent date to which the hearing may be adjourned by the tribunal.

On the date fixed for hearing or any other date to which the hearing may be adjourned, the appellant or applicant or his pleader or agent shall ordinarily be heard first in support of his appeal or application. The respondent or the opposite party or his pleader shall, if necessary, be heard next, and the appellant or the applicant or his pleader shall, in case where the respondent or the opposite party or his pleader is heard, be entitled to a right to reply.

If on the date fixed for hearing or any other date to which the hearing may be adjourned, the appellant or the applicant does not appear either in person or through his pleader or agent when the appeal or application is called for hearing and if the tribunal finds no reason to adjourn the hearing of the appeal or application, as the case may be, the tribunal may dismiss the appeal or the application, as the case may be, or may decide it on merits after hearing the respondent or his pleader or agent.

If on the date fixed for hearing or any other date to which the hearing may be adjourned, the respondent or the opposite party does not appear in person or through his pleader or agent when the appeal or application is called for hearing and if the tribunal finds no reason to adjourn the appeal or application, as the case may be, the tribunal may decide the same on merits after hearing the appellant or applicant, as the case may be, or his pleader or agent.

(j) If any of the parties was absent on the date of hearing and the appeal or application was heard and decided in the absence of that party, such party may apply for restoration of the appeal or application, as the case may be, and if the party satisfies the tribunal that he had no notice of the hearing or that he was prevented by any sufficient cause from appearing when the appeal or application was heard and decided, the tribunal may restore the appeal or application, as the case may be, to its file:

Provided that where the other party had appeared at the hearing, such party shall be given notice and an opportunity of being heard before the order for restoration is made.

(k) When the hearing of an appeal or application concludes the tribunal may pronounce its judgement or order in open court forthwith or may fix a date for the same. The tribunal shall state at the end of its judgement or order whether the appeal or application is dismissed or allowed wholly or in part and mention the relief, if any, granted to the appellant or applicant, as the case may be.

The costs of appeal or the application shall be in the discretion of the tribunal and in case where costs are awarded the tribunal shall state which party shall bear the costs and in what proportion, if any.

(l) A certified copy of every judgement or final order of the tribunal shall, as soon as practicable, be forwarded to the Registrar of Co-operative Societies or such other officer appointed to assist him as may be concerned with the appeal or application, as the case may be. Certified copies of the judgement or final order may also be supplied to the parties on application being made in that behalf and on payment of such fees as are prescribed in sub-rule (1) of rule 137. Sub-rule (2) of rule 137 shall mutatis mutandis apply in these cases.

188. **Court-fee stamp necessary on application for reference or appeal.**— An application for reference or a memo of appeal to the prescribed authority, other than the co-operative tribunal referred to in section 133, shall bear a court-fee stamp of two rupees:

Provided that no such court-fee stamp shall be necessary in the case of an appeal preferred against the decision of a society under section 59 refusing to admit as member any person applying for membership.

APPENDIX TO CHAPTER XIV

[See rule 187(4)]

FORM A

West Bengal Co-operative Tribunal

(Register of Memoranda of Appeals)

Serial No.	Name of parties and their pleaders or agents, if any.	Date of the decision under appeal.	Date of filing the appeal.
1	2	3	4

Date of appearance of the respondent pleader or his agent.	Date of decision of the Tribunal.	Final orders passed by the Tribunal.	Remarks.
5	6	7	8

FORM B

West Bengal Co-operative Tribunal

(Register of applications for Review)

Serial No.	Name of the parties, pleaders or agents, if any.	Date of order sought to be reviewed.	Date of filing the application.
1	2	3	4

Date of appearance of the opponent, his pleader or agent.	Date of order of the Tribunal.	The order passed by the Tribunal.	Remarks.
5	6	7	8

FORM C

West Bengal Co-operative Tribunal

(Register of Miscellaneous Applications)

Serial No.	Name of parties and their pleaders, or agents, if any.	Date or order, if any, in respect of which the application is made.	Date of filing the application.
1	2	3	4

Substance of the application.	Date of the order of the Tribunal.	The order passed by the Tribunal.	Remarks.
5	6	7	8

FORM D

West Bengal Co-operative Tribunal

(Register of unregistered cases)

Serial No.	Date of Receipt.	Names of Parties.	Date and No. of the order complained of.	Remarks.
1	2	3	4	5

FORM E

West Bengal Co-operative Tribunal

(Register of court-fees received)

Date.	Serial number.	Number of case, if any, in relation to which the court fees are received.	Nature of document. If a petition, what for ?	Filing fees.
(1)	(2)	(3)	(4)	(5)
				Rs. P.

Fees for vakalatnama.	Fees for certified copies.	All other fees.	Total (for each day)	Remarks.
(6)	(7)	(8)	(9)	(10)
Rs. P.	Rs. P.	Rs. P.	Rs. P.	

FORM F

Before the West Bengal Co-operative Tribunal

Appeal/Application for Review No.....197 .

Appellant/Applicant

versus

Respondent/Opponent

To

.....

.....

Take notice that the above named appellant/applicant has filed an appeal/application for review, before this Tribunal against the decision dated..... at.....in.....case No.....of 19....., and that the Tribunal has fixed.....at.....A.M./P.M. at .....as the date for hearing. The Tribunal will hear it on that day or on subsequent date to which it may adjourn it.

If you do not appear on the above date or dates, personally or through duly authorised agent, the Tribunal will dispose of the appeal/application ex parte.

Given under my hand and seal of the Tribunal.

Date: By order,

Seal: Secretary.

CHAPTER XV

Offences, Penalties and Procedure

189. **Certified copies of entries in books.**—A copy of any entry in a book of a co-operative society may be certified by a declaration written at the foot of such copy that it is a true copy of such entry, that such entry is contained in one of the ordinary books of the society (to be named) and was made in the usual and ordinary course of business, and that such book is still in the custody of the society; such certificate shall be dated and signed by the Secretary, Chairman, the Executive Officer or the Chief Executive Officer of the society by whatever designation he may be called.

190. **Procedure and condition for obtaining copies of documents.**—Certified or uncertified copies of any document which a member of the public has a right to inspect under the Act, the rules or the bye-laws of a co-operative society or which a member of such society may require shall, on application, be supplied, within a month, from the date of such application on payment of a sum calculated at twenty-five paise for each hundred words or a part thereof.

191. **Fees for inspection of public documents filed in the office of the Registrar.**—(1) Any member of the public may, on payment of a fee of one rupee for each occasion of inspection, with the permission of the Registrar, inspect, for any lawful purpose, any public documents (exclusive of documents privileged under sections 123, 124, 129 and 131 of the Indian Evidence Act, 1872), filed in the office of the Registrar and, in particular, the following documents namely:—

(a) certificate of registration of a co-operative society;

(b) bye-laws of a co-operative society and amendment effected in such bye-laws;

(c) order directing the winding up of a co-operative society;

(d) order cancelling the registration of a co-operative society;

(e) annual returns;

(f) register of co-operative societies.

(2) (a) Certified copies of any document which a person has a right under sub-rule (1) to inspect may be obtained by him on application made to the Registrar and on payment of—

(i) three rupees for certificate of registration; and

(ii) a sum calculated at the rate of forty paise for each hundred words or a part thereof of the copy or extract of any other document,

(b) Such certified copies shall be furnished within such period and in such manner as provided for in sub-rule (2) of rule 137.

192. **Payment of fees.**—(1) Unless the State Government otherwise directs, all fees, payable to it under the Act or the rules except audit fees, shall be paid in court-fee stamps.

(2) Audit fees payable to Government or to an audit officer, not being a Government officer and, dues and fees payable to a co-operative society shall be paid in cash, by cheque or by bank draft under proper receipt.

CHAPTER XVI

Miscellaneous

193. **Penalty.**—Any person committing a breach of any of the rules of the West Bengal Co-operative Societies Rules, 1974, shall, at the instance of the Registrar or of any co-operative society with the approval of the Registrar, on conviction by a Magistrate having jurisdiction over the place where such person resides, be punishable with fine which may extend to five hundred rupees, and where the breach is a continuing one, with further fine which may extend to ten rupees for every day after the first during which the breach continues subsequent to such conviction.

SCHEDULE

Form of Application for the Registration of a Co-operative Society with Limited/Unlimited Liability

[Rule 9(*1*)]

PART I

To

The Registrar of Co-operative Societies.

Dated.....19....

Sir,

We, the undersigned, agree to the enclosed by-laws and under section 13 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973), apply to be registered as a Co-operative Society with Limited/Unlimited Liability under the title of....., the registered office being at....., Post Office....., Thana....., Town/Panchayet....., Subdivision....., District.....

Serial No.	Name of applicant for registration	Father's name	Occupation	Age
1	2	3	4	5

Permanent address	Present address	Whether member of any other society, if so, name and address of the society(ies)	Signature or L.T.I. of applicant
6	7	8	9

PART II

1. Name of the proposed society.....
2. Nature of Liability of Members [Sec. 2(*m*) and (*n*) of the Act].....
   .....
3. On share basis or without shares.....
4. Number of applicants.....
   (a) Individuals :
   (b) Co-operative Societies :
5. Names of the members of the first Managing Committee (Rule 30) :—
   (If it is desired that the Registrar should constitute the first Managing Committee by nomination, no name need be mentioned here.)
   (1) .....Chairman.
   (2) .....Vice-Chairman.
   (3) .....
   (4) .....
   (5) .....
   (6) .....
6. Name and address of the person to whom communications, if any, are to be addressed prior to registration of the Society :
7. Certified that the applicants belong to at least twelve different families within the meaning of section 13(*2*) of the Act.

Signature of three applicants authorised by the promoters to sign and certify on their behalf.

(1)
(2)
(3)
Date—

N.B.—A true copy of the proceedings of the promoters' meeting should be annexed with the application.

Form of certificate of registration

[Rule 10(2)]

Certificate of Registration No.....of 19.....

In the Office of the Registrar of Co-operative Societies (under West Ben. Act XXXVIII of 1973).

In the matter of the application for the Registration of a Co-operative Society at.....in the district of.....

I do hereby certify that pursuant to the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973), the said society has been registered in my office as a co-operative society with limited/unlimited liability under the title of the.....and the by-laws filed by the said society have also been duly registered.

The following is the area of operation of the society :—

Registrar of Co-operative Societies.

Dated the.....day of.....one thousand nine hundred and.....

Form of application for the registration of amendment of the bye-law of a co-operative society

[Rule 14(3)]

To

The Registrar of Co-operative Societies,

Dated the.....19....

Sir,

We, the undersigned enclose herewith in duplicate/triplicate the marginally-noted amendment of the bye-laws of the.....Co-operative Society in the district of.....and to apply for the registration of the amendment under section 17 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973).

1. Amendment of bye-law No.....
2. Rescission of bye-law No.....
3. A complete amendment substituting an entire set of bye-laws in supercession of all previous bye-laws.

The necessary particulars about the general meeting at which the amendment was passed are noted below :

(1) Date of the meeting.
(2) Number of members present in person.
(3) Number of members who voted in support of the amendment.
(4) The total number of members of the society on the date of notice of the general meeting.

*2. For the reasons noted below the number required under rule 14 could not be secured.

We certify that the adoption of the proposed amendment would be in the interest of the society and that such amendment is likely to be approved by the general body of members.

Secretary/Chief Executive Officer.

Members of the Managing Committee.

1.
2.
3.

.....Co-operative Society.

*Paragraph 2 should be struck out when required number of members was present.

Certificate of registration of amendment of bye-laws

[Rule 14(5)/15(5)]

In the Office of the Registrar of Co-operative Societies (under West Ben. Act XXXVIII of 1973).

I do hereby certify that pursuant to section 17/18 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973), the amendments shown in the enclosed document of the bye-laws of the..... a co-operative society registered under the aforesaid Act on the..... day of.....19.....under No.....in the district of .....has been duly registered. The following is the area of operations of the society—

The bye-laws amended and registered this day are as follows :—

Complete amendment of the previous bye-laws.

Partial amendment of bye-laws Nos.....

Registrar of Co-operative Societies.

Dated this.....day of.....one thousand nine hundred and .....

Notice of change of registered address

[Rule 52(2)]

Notice is hereby given pursuant to section 29 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973), by..... .....(name of society) registered on.....of the alteration in the address of the registered office.

Previous address	Present address	Date of change

Signature of.....

Secretary/Chief Executive Officer.

Signature of three Directors.

Date—

1.
2.
3.

To—

(1) The Registrar of Co-operative Societies.

(2) The Secretary,
.....Bank.

(3) The Secretary,
.....Society Ltd.
(affiliating society).

Date—

Register of Members

[Rule 56(*ii*)]

1. Serial No.....
2. Name of member.....
3. Father's/Husband's name.....
4. Age on the date of being member.....
5. Present address.....
6. Permanent address.....
7. Occupation.....
8. Date of membership.....
9. Name of nominee.....
10. Nominee's relationship with the member and address.....
11. Date and reason of cessation of membership.....
12. Share Register Folio.....
13. Remarks.....
14. Signature or thumb impression of the members.....

Register of affiliated Societies

[Rule 56(*iii*)]

1. Serial No.....
2. Share Register Folio.....
3. Name of the Member-Society.....
4. No. and date of registration of the Member-Society.....
5. Registered address of the Member-Society.....
6. Area of operation of the Member-Society.....
7. Date of affiliation.....
8. Particulars regarding cessation of membership :—
   (a) Date.....
   (b) Reason.....
9. Remarks.....

Register of Directors for the year.....

[Rule 56(*iv*)]

1. Serial No.....
2. Name.....
3. Occupation.....
4. Name of the Society which he represents, if any.....
5. Office, if any, held.....
6. Address in full.....
7. Date of election or appointment.....
8. Appointed by (where necessary).....
9. Date from which continuing in office.....
10. Date of cessation and reasons for the same.....
11. Remarks.....

Explanation of item 7.—Where the Directors retire by rotation any casual vacancy when filled up in a general meeting should show—

(a) the date of election of the Director who fills up the casual vacancy ; and

(b) the date of election of the Director in whose place the election is made.

ANNUAL RETURN

(Rule 58)

Central Societies and Apex Societies

Name of Central/Apex Society.....
Period from.....to.....
Compiled by.....Checked by.....
Name.....Name.....
Designation.....Designation.....
(Departmental Officer.)

N. B.—(1) To be submitted in duplicate to Assistant Registrar's Office.

(2) One copy to be retained by the Assistant Registrar and the other counter-signed by the Assistant Registrar to be forwarded to the Registrar.

---

1. Name of the Central/Apex Society.....
2. Registered number and date.....
3. Station.....Post Office.....
   Subdivision.....District.....
4. Number of offices including Head Office.....
5. Class or type—
   (a) Credit.
   (b) Non-credit—
      (i) Marketing Society or Federation.
      (ii) Wholesale Stores or Federation.
      (iii) Industrial Union or Apex Institution.
      (iv) Milk Union.
      (v) Other types (to be specified).

N.B.—Strike off the sub-heading, or part not required.

6. Number of members—
   (a) Individuals :
   (b) Banks and Societies, typewise :
7. Loans advanced during the year to—
   (a) Individuals—
      (i) Number.....
      (ii) Amount Rs.....
   (b) Banks and Societies—
      (i) Number.....
      (ii) Amount Rs.....

   Total of (a) & (b) _____

8. Loans repaid during the year by—
   (a) Individuals—
      (i) Number.....
      (ii) Amount Rs.....
   (b) Banks and Societies—
      (i) Number.....
      (ii) Amount Rs.....

   Total of (a) & (b) _____

9. Loans due at the end of the year by—
   (a) Individuals—
      (i) Number.....
      (ii) Amount Rs.....
   Of which overdue—
      (i) Number.....
      (ii) Amount Rs.....
   (b) Banks and Societies—
      (i) Number.....
      (ii) Amount Rs.....
   Of which overdue—
      (i) Number.....
      (ii) Amount Rs.....

   Total of (a) & (b) _____
   Total of overdue _____

10. Total bad and doubtful debts.....

11. Cash in—

(a) Hand.....

(b) Banks.....

12. Investments—

(i) Government and other Trustee Securities.....

(ii) Land and Buildings.....

(iii) Plant and Machinery.....

(iv) Others (give details).....

13. Other Assets .....

14. Interest receivable .....

15. Of which overdue.....

16. (a) Value of goods received—

(i) As owners .....

(ii) As agents.....

Total _____

(iii) From members.....

(iv) From non-members.....

Total.....

(b) Value of goods sold—

(i) As owners.....

(ii) As agents.....

Total _____

(iii) To members.....

(iv) To non-members.....

Total :.....

Note—Total value of goods received and sold will be composed of items (i) and (ii) only under each sub-heading. Information under items (iii) and (iv) are required for statistical purposes other than general compilation.

17. Stock held—

(a) At the beginning of the year—

(i) As owners .....

(ii) As agents.....

(b) At the end of the year—

(i) As owners.....

(ii) As agents.....

18. Share capital paid up.....

19. Reserve fund.....

20. Reserve for the bad debt .....

21. Other funds (give details) in a separate sheet—

22. Loans from—

(a) Commercial Banks.....

(b) Co-operative Banks.....

(c) Government.....

(d) Others .....

23. Deposits from—

(a) Commercial Banks .....

(b) Co-operative Banks .....

(c) Primary Societies .....

(d) Others .....

24. Working capital .....

25. Average working capital .....

26. Cost of management .....

27. Profit (+) or loss (—) for the year.....

28. Rate of interest for each type—

(a) On borrowings .....

(b) On lending.....

(c) On deposits.....

29. Last declaration of dividend—

(a) Date of declaration.....

(b) Year for which declared.....

(c) Rate .....

30. Strength of the paid staff—

(a) Officers.....

(b) Others .....

31. Date of last annual general meeting and election of Board of Directors.

(1) Name of Chairman.

(2) Vice-Chairman.

(3) Secretary elected, if any.

32. Number of affiliated Societies typewise.

33. Classification of affiliated societies (as per last Audit)—

A	B	C	D	E	Not working.	Total

CASH ACCOUNT

Receipts	Rs. p	Rs. p.	Rs. p
I. Share receipts—			
(1) Ordinary			
(2) Preference			
II. Deposits received—			
(1) Current—			
(a) Individuals .			
(b) Societies ..			
(2) Savings—			
(a) Individuals ..			
(b) Societies ..			
(3) Fixed—			
(a) Individuals			
(b) Societies			
(4) Deposits from Central Banks			
(5) Other deposits ..			
III. Loans, cash credits and overdrafts received			
(1) Apex Society (to be named) .			
(2) Central Banks/Societies .. .			
(3) Individuals and other Banks/Societies			
(4) Government			
IV. Loans, cash credits and overdrafts recovered—			
(1) Members—			
(a) Individuals			
(b) Societies (of which crop loan Rs...) (of which by paper transaction Rs.....).			
(2) Liquidated societies ..			
(3) Others—			
(a) Non-member individuals ..			
(b) Non-member societies ..			
(c) Central Banks			
V. Investments withdrawn—			
(1) Government Securities			
(2) Other guilt-edged Securities ..			
(3) Shares in Co-operative Societies			
VI. Deposits in Banks withdrawn—			
(1) State Co-operative Bank ..			
(2) Central Banks			
(3) Other Co-operative Societies ..			
(4) Other Banks			
Carried over ..			

CASH ACCOUNT—cont

	Rs. p.	Rs. p.	Rs. p.
Receipts—contd			
Brought forward ..			
VII. Block assets sale-proceeds—			
(1) Land and buildings			
(2) Furniture			
(3) Others			
(a)			
(b)			
(c)			
VIII. Sale-proceeds of property taken over in satisfaction of claims.			
IX. Employees' security deposit			
X. Employees' Provident Fund deposit .			
XI. Interest received—			
(1) On loans, cash credits and overdrafts—			
(a) Individual members ..			
(b) Affiliated Societies ..			
(c) Liquidated Societies ..			
(d) Others			
(2) On investments—			
(a) Securities			
(b) Deposits with Banks			
XII. Other revenue receipts—			
(1) Dividends			
(2) Commission and discount			
(3) Admission fees ..			
(4) Others—			
(a) Sale of Form ..			
(b)			
(c)			
XIII. Miscellaneous—			
(1) Societies' audit fees realised ..			
(2) Advance recovered			
(3) Bills for collection realised ..			
(4) Others—			
(a)			
(b)			
XIV. Sale of goods to—			
(i) Members			
(ii) Non-members			
XV. Opening Balance—			
Cash in hand			
Total ..			

CASH ACCOUNT—contd.

	Rs. p.	Rs. p.	Rs. p.
Disbursements			
I. Shares refunded—			
(1) Ordinary			
(2) Preference			
II. Deposits repaid—			
(1) Current—			
(a) Individuals			
(b) Societies			
(2) Savings—			
(a) Individuals .. .			
(b) Societies			
(3) Fixed—			
(a) Individuals			
(b) Societies			
(4) Deposits from Central Banks ..			
(5) Other deposits			
III. Loans, cash credit and overdrafts repaid—			
(1) State Co-op. Bank (of which by paper transaction Rs.....)			
(2) Central Banks			
(3) Individuals and other Banks ..			
(4) Government			
IV. Loans, cash credits and overdrafts made—			
(1) Members—			
(a) Individuals			
(b) Societies (of which crop loan Rs.....).			
(2) Others—			
(a) Non-member individuals ..			
(b) Non-member societies ..			
(c) Central Banks			
V. Investments made—			
(1) Government Securities			
(2) Other guilt-edged Securities ..			
(3) Shares in Co-operative Societies ..			
VI. Deposits made with Banks and others—			
(1) State Govt.			
(2) Central Bank			
(3) Other Co-operative Societies ..			
(4) Other Banks			
Carried over ..			

CASH ACCOUNT—contd.

Disbursements—contd.

	Rs. p.	Rs. p.	Rs. p.
Brought forward ..			
VII. Block assets acquired—			
(1) Land and Buildings			
(2) Furniture			
(3) Others—			
(a)			
(b)			
(c)			
VIII. Property taken over in satisfaction of claims			
IX. Employees' security deposit repaid ..			
X. Employees' Provident Fund repaid ..			
XI. Interest paid—			
(1) On deposit—			
(a) Individuals			
(b) Societies			
(2) On loans, cash credits and overdrafts—			
(a) State Co-operative Bank ..			
(b) Others			
XII. Other revenue repayments—			
(1) Commission and discount ..			
(2) Salary of staff			
(3) Contribution to Provident Fund ..			
(4) Audit fees			
(5) Directors' travelling and daily allowance			
(6) Office expense and contingencies ..			
(7) Travelling allowance ..			
(8) Gratuity and bonus ..			
XIII. Miscellaneous—			
(1) Societies' audit fee paid ..			
(2) Advance made			
(3) Bills for collection repaid			
(4) Others—			
(a) Dividend and bonus			
(b) Purchase of saleable forms ..			
XIV. Purchase of goods from—			
(1) Members			
(2) Non-members			
XV. Closing balance—			
Cash in hand			
Total ..			

BALANCE SHEET

Capital and Liabilities.

	Rs. p.	Rs. p.	Rs. p.
I. Share-capital			
Authorised—			
....ordinary shares of Rs. each ..			
....preference shares of Rs. each ..			
Subscribed—			
....ordinary shares of Rs. each ..			
....preference shares of Rs. each ..			
Called up—			
....ordinary shares of Rs. each ..			
....preference shares of Rs. each ..			
Total ..			
Less calls unpaid			
Paid-up Share Capital			
Reserve Liability, if any			
II. Reserve and other funds—			
(1) Statutory reserve			
(2) Reserve for bad and doubtful debts ..			
(3) Other funds—			
(a)			
(b)			
(c)			
(d)			
(e)			
III. Deposits—			
(1) Current—			
(a) Individual and other sources ..			
(b) Primary Societies			
(c) Co-operative Banks			
(2) Savings—			
(a) Individual and other sources ..			
(b) Primary Societies (of which Reserve fund Rs.....).			
(c) Co-operative Banks			
(3) Fixed—			
(a) Individual and other sources ..			
(b) Primary Societies (of which Reserve fund Rs.....).			
(c) Co-operative Banks			
(4) Other deposits			
Carried over ..			

BALANCE SHEET—Contd.

Capital and Liabilities—Contd.

	Rs. p.	Rs. p.	Rs. p.
Brought forward ..			
IV. Employees' Provident Fund			
V. Employees' Security Deposits			
VI. Loans, Cash Credits and Overdrafts—			
(1) Government			
(2) Apex Bank			
(3) Central Banks			
(4) Individual and other sources ..			
(5) Commercial Banks			
VII. Interest payable—			
(1) On Loans			
(2) On Deposits			
VIII. Cost of management due—			
(1) Salary of staff			
(2) Office expenses and contingencies ..			
(3) Directors' fees and travelling allowances			
(4) Others—			
(a)			
(b)			
(c)			
IX. Bills for collection (per contra) .. .			
X. Dividend due			
XI. Sundry Liabilities—			
(1)			
(2)			
(3)			
XII. Provision for bad debts			
XIII. Provision for doubtful debts			
XIV. Provision for overdue interest ..			
XV. Profit and loss appropriation account ..			
Balance of undistributed profits (of which realised Rs.....).			
Total ..			

BALANCE SHEET—Contd.

Property and Assets.

	Rs. p.	Rs. p.
I. Cash and Bank balance—		
(1) Cash in hand		
(2) Cash at Bank in current and Savings Account (of which with State Co-operative Bank Rs.....,other Co-operative Banks Rs.....and other approved Banks Rs.....).		
II. Fixed and other deposits with Banks (of which with State Co-operative Bank Rs.....,Central Bank Rs.....,other Co-operative Banks Rs... and other approved Banks Rs.....).		
III. Investments at cost—		
(1) Government Securities (market value Rs. .....).		
(2) Other gilt-edged Securities (market value Rs.....).		
(3) Shares in Co-operative Societies ..		
[Notes—Of II and III(1) and (2) on account of own R/F Rs.....Societies' R/F Rs.....Employees' Provident Fund Rs..... Employees' Security Deposit Rs. .....].		
IV. Loans, cash credits and overdrafts to members—		
(1) Societies		
(a) Long term (of which overdue Rs....., overdue for more than 2 years Rs.....).		
(b) Short term (including crop loan Rs... .....) (of which overdue Rs. .....).		
(2) Individuals (of which overdue Rs.....)		
V. Loans, Cash Credits and Overdrafts to non-members—		
(1) Societies		
(2) Individuals		
(3) Central Bank		
(Total amount overdue Rs.....)		
(Total bad and doubtful debts on account of IV and V Rs.....).		
Carried over ..		

BALANCE SHEET—Contd.

Property and Assets—Contd.

	Rs. P.	Rs. P.	Rs. P.
Brought forward ..			
VI. Interest receivable—			
(1) On Securities			
(2) On deposits in Banks			
(3) On loans to members			
(4) Other sources			
(Total amount overdue..... of which bad and doubtful.....)			
VII. Dues from Societies in liquidation—			
(1) Principal			
(2) Interest			
VIII. Properties taken over in satisfaction of claims—			
(1)			
(2)			
(3)			
IX. Block assets—			
(1) Land and buildings at cost or as per last Balance-sheet less depreciation for the period.			
(2) Furniture at cost or as per last Balance-sheet less depreciation for the period.			
(3) Plants and machinery at cost or as per last Balance-sheet less depreciation for the period.			
(4) Others			
X. Bills for collection (per contra)			
XI. Sundry assets—			
(1) Stock of saleable forms			
(2) — —			
XII. Stock in trade—			
(1) — — ..			
(2) — — —			
(3) — — —			
Total ...			

Manufacturing and Trading Account for the year ending.....

	Rs.	P.	Rs.	P.
To stock at commencement—				
(a) Raw materials				
(b) Work in progress				
To purchases less returns				
To Wages				
To Freight				
To Carriage, inward				
To Fuel, water, etc.				
To Engine-room stores				
To Factory, rent, rates and taxes				
To Foremen and Supervisors' salaries				
To Other Direct Expenses of Manufacture to be specified—				
(a)				
(b)				
(c)				
Less Materials and Stores at the end of the year—				
(a) Raw materials				
(b) Work in progress				
To Stock of finished goods at commencement				
To Transfer from manufacturing account				
To Gross profit transferred to profit and loss account ...				

	Rs.	P.	Rs.	P.
By cost of Manufacture carried to Trading Account ...				
By Sales less returns (Inward)				
By Stock of finished goods at the end of the year.. ..				

Profit and Loss Account

Loss	Rs.	P.	Rs.	P.	Rs.	P.
To—						
(1) Interest paid and due—						
(a) On Loans						
(b) On Deposits						
(2) Discount and Commission						
(3) Salary of staff						
(4) Office expenses and contingencies ..						
(5) Directors' travelling and daily allowances						
(6) Miscellaneous—						
(a) Audit fee						
(b) Outdoor officers' travelling allowances						
(c) Provident Fund contributions ..						
(d) Depreciation on Block Assets ..						
(e)						
(f)						
(7) Provision for bad debts .. —						
(8) Provision for doubtful debts —						
(9) Provision for overdue interest —						
Total ...						
Net Profit (+) or Loss(—) ...						
Grand Total —						
Profit actually realised —						

Date.....

Signature of Secretary/Chief Executive Officer.

Profit	Rs.	P.	Rs.	P.	Rs.	P.
By—						
(1) Interest received and earned—						
(a) On loans to members						
(b) On loans to others						
(c) On deposits with Banks						
(d) On gilt-edged securities						
(2) Discount, commissions and dividends ...						
(3) Miscellaneous—						
(a) Entrance fee						
(b) Profit on sale of forms ..						
(c) .. —						
(d) .. —						
(e) — — .. —						
Total —						
Grand Total — —						

Signature of Directors.

1 .....

2 .....

3 .....

Date.....

Profit and Loss Appropriation Account

Actual distribution of profits of the previous years (passed in the General Meeting held on.....)

This year's profit	..	..	— —
Profits brought forward from last year		..	..
		Total	..

	Rs.	P.
1. Reserve fund—		
(a) Statutory one-fourth .. .. —		
(b) Entrance fees .. — —		
(c) Forfeited shares		
(d) Lapsed dividends		
(e) Penal interest .. .. —		
(f) .. .. —		
(g) Additional allotment (if any)		
Total ..		
2. To Dividend at per cent		
3. Specification of other allotments—		
(1)		
(2)		
(3) .. .. —		
(4) .. —		
4. Carried to next year .. .. —		
Total ..		

Date.....

Signature of Secretary/Chief Executive Officer.

APPENDIX

Other particulars to be furnished with the Annual Return

	No.	Amount involved. Rs.
1. Disputes under sections 86 and 87—		
(a) Number pending disposal at the beginning of the year.		
(b) Number filed during the year		
(c) Number decreed		
(d) Total number of disposal		
(e) Number pending disposal at the end of the year ..		
(f) Total number of execution of decrees		
(g) Number pending execution at the end of the year		
2. Awards under section 126—		
(a) Number of cases pending disposal at the beginning of the year.		
(b) Number filed during the year		
(c) Number disposed of		
(d) Number pending disposal at the end of the year ..		
(e) Number of awards executed and realisation thereof		
(f) Number of awards pending execution at the end of the year.		
3. Debt Settlement Board cases—		
(a) Number of awards of affiliated societies ..		
(b) Number of awards received by assignment ..		
(c) Number of instalments due during the year and realisation thereof.		
(d) Number of instalments defaulted with notes on action taken.		

Investments	Rs.
4. Amount invested in Government Securities	
5. Amount invested in the shares of—	
(a) Industrial Finance Corporation	
(b) Co-operative Societies	
(c) Other institutions	
6. Total investment in side business	
7. Net profit or loss incurred during the year from side business ..	

Other informations

8. Whether the society has its own office buildings .. ..
9. Number of branches and pay offices .. .. ..
10. Defalcation or misappropriation, if any and the amount involved therein with brief notes.
11. Co-operative year up to which statutory audit has been completed.
12. Any other information of importance .. ..

Signature of the Secretary/Chief Executive Officer.

Audit classification.....

ANNUAL RETURN

(Rule 58.)

(Primary Societies with unlimited/limited liability)

Name of the society.....

Period from.....to.....

Compiled by..... Checked by.....

Name..... Name.....

Designation..... Designation.....

(Departmental Officer)

1. Co-operative year from.....19.....to.....19.....
   Area.....District.....

2. Name and address of the society.....

3. Registered number.....

4. Class of Societies (Limited/Unlimited)—

   (a) Credit
   (b) Consumers
   (c) Marketing
   (d) Industrial
   (e) Housing
   (f) Insurance
   (g) Grain Bank
   (h) Other types.

N.B.—Please *delete* the sub-heading under which the society is not classed.

5. Number of members.....

6. Loans advanced/credit sales made during the year to

   (a) Members—
   (b) Amount Rs.
   (c) Others—
   (d) Amount Rs.

7. Loan repaid during the year by—

   (a) Memeber—
   (b) Amount Rs.
   (c) Others—
   (d) Amount Rs.

8. Loans due at the end of the year by

   (a) Members—
   (b) Amount Rs.
   (c) Others—
   (d) Amount Rs.

9. Of which overdue with—

   (i) Members—
   (ii) Amount Rs.
   (iii) Others—
   (iv) Amount Rs.

9.[A] Cash in hand and in Bank Rs.....

(a) In hand Rs.....

(b) With Banks Rs.....

10. Investment in Land and Buildings Rs.....

11. Investments in Trustee Securities Rs.....

12. Investments in Plant and Machinery Rs.....

13. Deposits with Banks Rs.....

14. Other Assets Rs.....

15. Value of goods—

	Received		Sold	
	Quantity	Value	Quantity	Value
(a) As owner				
(b) As agents				

16. Value of goods received—

From members.....

From non-members.....

17. Stock held—

	At the beginning of the year, value Rs.	At the close of the year, value Rs.
(a) As owner	.....	.....
(b) As agents	.....	.....

18. Share Capital paid up.....

19. Reserve and other funds—

(a) Reserve fund.....

(b) Other funds.....

20. Loans held at the end of the year from—

(a) Co-operative Banks Rs. .....

(b) Government Rs.....

(c) Others Rs.....

21. Deposits held at the end of the year from—

(a) Members Rs.....

(b) Non-members Rs.....

(c) Societies Rs.....

(d) Others Rs.....

22. Working capital.....

23. Average working capital.....

24. Cost of management.....

25. Profit (+) or loss (—) for the year.....

26. Rate of interest—

	Maximum.	Minimum.	Most usual rate
On borrowings			
On lendings			
On deposits			

27. Usual dividend paid on shares (per cent.).....

CASH ACCOUNT

Receipts	Rs. P.	*Expenditure*	Rs. P.
1. Share receipts ..		1. Share capital refunded..	
2. Loans and deposits by members.		2. Members' deposits withdrawn.	
3. Loans and deposits from non-members.		3. Loans repaid to Government.	
4. Loans and deposits from primary societies.		4. Loans repaid to central societies.	
5. Loans and deposits from central societies.		5. Loans repaid to other societies.	
6. Loans and deposits from Government.		6. Loans repaid to non-members.	
7. Loans and deposits from other sources.		7. Loans granted to members.	
8. Loans and deposits repaid by members.		8. Loans granted to Bank and societies—	
		(a) Central societies ..	
		(b) Other societies ..	
9, Loans and deposits repaid by Bank and Societies—		9. Interest paid on loans and deposits.	
(a) Central Banks ..			
(b) Other Societies ..			
10. Interest received ..		10. Dividend and bonus paid	
11. Goods sold—		11. Stock purchased ..	
(a) As owners			
(b) As agents			
12. *Other income ..		12. Goods purchased—	
		(a) As owners ..	
		(b) As agents ..	
13. *Other items		13. Establishments and contingent charges.	
Total ..			
Opening balance { Cash in hand		14. *Other expenses ..	
Opening balance { Cash at Bank		15. *Other items ..	
Grand total ..		16. Carried to Reserve fund	
		Total ..	
		Closing balance { Cash in hand..	
		Closing balance { Cash at Bank	
		Grand total ..	

*Details should be furnished separately.

Balance sheet as at..... ...

Liabilities	Rs. P.	*Assets*	Rs. P.
1. Share capital paid up ..		1. Cash and Bank Balances—	
		(i) In hand	
		(ii) At Banks ..	
2. Reserve fund under section 56(1) of West Bengal Act XXXVIII of 1973.		2. Value of investments in—	
		(a) Land and Buildings ..	
		(b) Plant and machinery	
		(c) Shares in Co-operative Societies.	
		(d) Trustee Securities ..	
3. Sinking Fund		3. Deposits with Banks ..	
4. Other funds		4. *Other Assets ..	
5. Provision for bad and doubtful debts—		5. Loans due by members	
(a) Doubtful debt ..			
(b) Bad debt			
6. Loans and deposits from—		6. Of which—	
(a) Apex and Central Banks		(i) Overdue	
(b) Government ..		(ii) Doubtful ..	
(c) Individuals—		(iii) Bad	
(i) Members ..			
(ii) Non-members ..			
(iii) Others			
(d) Societies			
7. Interest due		7. Loans due by Bank and Societies.	
8. Dividend outstanding ..		8. Of which—	
		(i) Overdue	
		(ii) Doubtful ..	
		(iii) Bad	
9. Cost of management due ..		9. Interest due—	
		(i) Overdue ..	
		(ii) Doubtful ..	
		(iii) Bad	
10. Other items		10. Value of stock in hand—	
		(i) As owners ..	
		(ii) As agents ..	
11. Undistributed profits carried forward.			
Total ..			
Net profit (+) or loss(—)		Total ...	
Grand Total ..		Grand Total ..	

*Details to be noted separately.

TRADING ACCOUNT

	Quantity. Quintal-Kg	Amount Rs. P.		Quantity. Quintal-Kg.	Amount Rs. P.
1. To stock at commencement.			1. By sales ..		
2. To purchase ..			2. Others ..		
3. Cost incurred in purchasing the stock—			3. By stock at the close of the year.		
(a) Wages ..					
(b) Freight ..					
(c) Carriage hire ..					
(d) Godown rent, rates and taxes.					
4. Others ..					
Total ..					
Gross Profit or Loss..			Total..		
Grand Total ..			Grand total ..		

PROFIT AND LOSS ACCOUNT

Loss	Rs. P.	*Profit*	Rs. P.
1. Interest paid and due ..		1. Interest received and earned.	
2. Establishment and contingent charges paid and due.		2. Gross profit transferred from Trading Account.	
3. Depreciation of stock ..		3. Other items	
4. Debts written off ..			
5. Provision for—			
(i) Doubtful debts ..			
(ii) Bad debts			
6. Other items			
Total ..		Total ..	
Profit (+) or Loss (—) ..			
Grand total ..		Grand total ..	

APPENDIX

Other particulars to be furnished with Annual Return

I. Disputes filed and awards obtained by the Society against members under sections 86 and 87—

1. Number of and amount involved in disputes pending disposal at the beginning of the year.....
2. Filed during the year.....No.....Amount Rs.....
3. Total number and amount involved.....
4. Amount satisfied before awards.....
5. Awards granted during the year and amount involved.....
6. Number and amount of cases pending disposal at the end of the year..... .....
7. Awards obtained in previous years and pending execution at the begining of the year (number and amount involved).....
8. Awards obtained during the year (number and amount involved).....
9. Total number and amount involved.....
10. Number and amount of claims satisfied during the year.....
11. Pending execution at the end of the year....No.....Amount Rs.....

II. Awards under section 126—

1. Number of cases pending disposal at the beginning of the year.....
2. Number of cases filed during the year.....
3. Total number and amount involved.....
4. Number of awards obtained during the year and amount involved.....
5. Number and amount satisfied during the year.....
6. Number and amount of cases pending execution at the end of the year....

III. Demands under section 51—

1. Number of cases.....
2. Amount involved.....
3. Number of cases and amount realised.....

IV. Debt Settlement Board cases—

1. Number of cases settled.....
2. Amount of debts settled—
   (a) Principal.....
   (b) Interest.....
3. Amount realised—
   (a) Principal.....
   (b) Interest.....
4. Instalments of debts barred—
   (a) Principal.....
   (b) Interest.....
5. Amount outstanding—
   (a) Principal.....
   (b) Interest.....

V. Whether the Society has its own buildings; if so, value thereof: Rs.....

VI. Investments in—

1. Government Securities.....
2. Shares of Industrial Finance Corporation : Rs.....
3. Co-operative Societies : Rs.....
4. Side business and profit or loss thereof.....

VII. Cases of defalcation or misappropriation, if any, and the amount involved .....

VIII. Any other information of importance.....

IX. Co-operative year up to which the Society has been audited with the date of last audit.....

X. Date of last Annual General Meeting.....

Form of Quarterly Return showing the working of.....
Co-operative Society for the quarter ending 19
(Rule 59)

I. Membership— Individual Societies.
(a) Number at the end of the last quarter :
(b) Number admitted during the quarter :
(c) Number ceased during the quarter :
(d) Total :

II. Owned Capital—

	Subscribed		Paid up	
	Preference	Ordinary	Preference	Ordinary.
(1) Share Capital—				
(a) Total amount at the end of the last quarter :				
(b) Amount subscribed and paid up during the quarter :				
(c) Total :				
(d) Amount refunded during the quarter :				
(e) Balance at the end of the quarter :				
(2) Reserve and other funds				
1. (a) Reserve Fund :				
(b) Amount separately invested :				
2. (a) Other Funds (to be specified) :				
(b) Amount separately invested :				

III. Borrowings—
(1) Deposits—
(A) Fixed—
1. (a) Total amount outstanding at the end of the last quarter.....
(b) Amount received during the quarter.....
(c) Amount repaid during the quarter.....
(d) Balance at the end of the quarter.....
(i) Members .....
(ii) Non-members .....

Average rate of interest payable.....

2. Deposits maturing during each of the next three following quarters—
(i) for quarter ending on.....Rs.....
(ii) for quarter ending on.....Rs.....
(iii) for quarter ending on.....Rs.....

(B) Current—
(a) Total amount outstanding at the end of the last quarter :
(b) Amount received during the quarter :
(c) Amount repaid during the quarter :
(d) Balance at the end of the quarter—
(i) Members :
(ii) Non-members :

Average rate of interest payable ..

(C) Savings—
(a) Total amount outstanding at the end of the last quarter :
(b) Amount received during the quarter :
(c) Amount repaid during the quarter :
(d) Balance at the end of the quarter—
(i) Members :
(ii) Non-members :

Average rate of interest payable ·

(2) Account with State Co-operative Bank—

(A) Loan account:

(a) Amount due at end of the last quarter :
(b) Loans taken during the quarter :
(c) Amount repaid during the quarter :
(d) Balance at the end of the quarter .
(e) Amount overdue :

(B) Cash Credit and Overdraft Account.

(a) Maximum limit of credit sanctioned :
(b) Amount drawn up to the end of the last quarter :
(c) Amount drawn during the quarter :
(d) Amount repaid during the quarter :
(e) Amount of overdraft at the end of the last quarter :
(f) Balance of undrawn cash credit :

(C) Current Account:

(a) Balance at the end of the last quarter :
(b) Amount received during the quarter :
(c) Amount repaid during the quarter :
(d) Balance at the end of the quarter :

(3) Amount with other Banks—

(A) Cash Credit and Overdraft Account.

(a) Maximum limit of credit sanctioned
(b) Amount drawn up to the end of the last quarter :
(c) Amount drawn during the quarter :
(d) Amount repaid during the quarter :
(e) Amount of overdraft at the end of the quarter:
(f) Balance of undrawn cash credit :

(B) Current Account:

(a) Balance at the end of the quarter :
(b) Amount received during the quarter :
(c) Amount repaid during the quarter :
(d) Balance at the end of the quarter :

IV. Investments— Ind

(1) Loans and interest (members):

(A) (a) Balance of loans outstanding at the end of the last quarter. ..

(b) Loans issued during the quarter .. ..

(c) Amount recovered during the quarter ..

(d) Balance at the end of the quarter .. ..

Average rate of interest receivable .. .. ..

(B) Recovery of overdue loans:

(a) (i) Overdue principal at the end of the last quarter.

(ii) Amount in respect of which extension has been granted.

(iii) Amount collected .. .. ..

(iv) Balance (overdue at the end of the quarter)

(b)(i) Kists which fell due during the quarter ..

(ii) Amount in respect of which extension has been granted.

(iii) Amount collected .. .. ..

(iv) Balance (overdue at the end of the quarter) ..

(c)(i) Total amount of overdue loans remaining unpaid [(a)(iv) plus (b)(iv)].

(ii) Amount of overdue loans in respect of which extension of time has been granted [(a)(ii) plus (b)(ii)]

(iii) Amount of loan not yet due .. ..

(iv) Total .. ..

(C) Realisation of interest from members:

(a)(i) Overdue interest at the end of the last quarter.

(ii) Amount collected .. .. ..

(iii) Balance .. ..

(b)(i) Interest which fell due for payment during the quarter.

(ii) Amount collected .. .. ..

(iii) Balance .. ..

(c) Total overdue interest remaining unrealised at the end of the quarter [(a)(iii) plus (b)(iii)]

(D) Loans and interest due from societies under order of winding up— Principal Interest

(a) Balance outstanding at the end of the last quarter

(b) Amount due from societies placed under liquidation during the quarter.

(c) Total .. .. ..

(d) Amount collected .. .. ..

(e) Balance at the end of the quarter .. ..

(2) Investment in Co-operative Societies (fixed savings and current deposits) :

(a) Amount outstanding at the end of the last quarter :

(b) Amount deposited during the quarter :

(c) Amount withdrawn during the quarter :

(d) Balance at the end of the quarter :

Average rate of interest receivable :

(3) Investment in other Banks and Societies (fixed savings and current deposits) :

(a) Amount outstanding at the end of the last quarter :

(b) Amount deposited during the quarter :

(c) Amount withdrawn during the quarter :

(d) Balance at the end of the quarter :

Average rate of interest receivable :

(4) Trustee securities:

(a) Amount outstanding at the end of the last quarter :

(b) Amount deposited during the quarter :

(c) Amount withdrawn during the quarter :

(d) Balance at the end of the quarter :

Average rate of interest receivable :

(5) Cash in hand at the close of the quarter :

For the quarter ending.....19...

(a) *Revenue*

Receipts	Disbursements
Interest received—	Interest paid—
(a) Cash.....	(a) Cash.....
(b) By paper transactions.....	(b) By paper transactions.... ....
Other receipts—	Working expenses—
(a) Entrance Fees.....	(a) Establishment .....
(b) Commission.....	(b) Contingency.....
(c) Discount.....	(c) Audit fee .....
(d) Rent.....	(d) Provident Fund contribution.. ....
(e).....	(e).....
Total.....	Total..... .... ..

(b) *Miscellaneous*

Receipts	Disbursements
Advances recovered—	Advances made—
(a) Societies' audit fees realised.....	(a) Societies' audit fees paid.....
(b)	(b) .....
Suspense and similar accounts—	Suspense and similar accounts—
(a) Receipts from saleable items (stock, forms, etc.).....	(a) Purchase of saleable items (stock, forms, etc.).....
(b)	(b) .....
Opening Balance—	Closing Balance—
Total.....	Total.....
Grand Total.....	Grand Total .....

Signature of Secretary/Chief Executive Officer.

Date.....

Preservation and destruction of accounts, books and registers

(Rule 62)

To be retained permanently

1. Cash Book.
2. General Ledger.
3. Loan Ledger—
   (a) Short term loan.
   (b) Long term loan.
4. Ledger of Shares or Share Register
5. Ledger for Fixed Deposits.
6. Ledger for Savings Deposit.
7. Ledger for Provident Fund Deposits.
8. Ledger for Investments.
9. Ledger for Provident Fund.
10. Ledger for Societies Reserve Fund.
11. Ledger for Societies Charity Fund.
12. Ledger for Audit Fee.
13. Register of Dividend.
14. Share Transfer Register.
15. Call Register of Shares.
16. Stock Book of forms and furniture.
17. Acquittance Roll.
18. Register of Issuing Cheque Books.
19. Register for Issuing Pass Books.
20. Register of specimen signature of depositors and their nominees
21. Register of members—
    (a) Register of Preference shareholders.
    (b) Register of Ordinary shareholders.
22. Register of Directors.
23. Minute Book.
24. Register of Officers and their services.
25. Register of organisations.
26. Register of liquidated societies.
27. Register of office-bearers of affiliated societies and their specimen signatures.
28. Audit Notes and Audit Statements.
29. Register of Pronotes.
30. Catalogue (Library).
31. Register of letters received.
32. Register of letters issued.

To be retained for 12 years

1. Register of dispute cases.
2. Register of Court Fees.
3. Ledger for suspense deposits.
4. Ledger for temporary deposits.
5. Ledger for temporary advances.
6. Register of Bills and Contingent Register.
7. Collection Register.
8. Register of assessment of normal credit of members.
9. Notice Book of Directors' Meeting.
10. Visitors' Book.
11. Office Order Book.
12. Receipt Books (containing counterfoils).
13. Vouchers.

To be retained for 6 years

1. Budget estimates.
2. Returns and Statements.
3. Service Book of Officers (six years after one quits service).
4. Register of inspection of affiliated societies.
5. Register of Rectification Reports.
6. Register of Property and Debt Statements.

To be retained for 3 years

1. Casual Leave Register.
2. Attendance Register.
3. Register of payment of travelling allowance
4. Register of noting dates of withdrawal of deposits.

Form of Notice under section 44 of the West Bengal Co-operative Societies Act, 1973

[Rule 79(1)]

NOTICE

In the matter of application of....., son/wife of....., resident in mauza....., Thana....., district....., hereinafter mentioned as a debtor.

To....., son/wife of..... resident in mauza....., Thana..... district.....

Whereas you are reported to be a creditor of the said debtor:

Notice is hereby given to you that an application for loan/membership has been received from the said debtor, and that the Managing Committee of the..... .....Co-operative Society will consider the said application at the office of the society on the.....day of.....19..... at.....o'clock.

You are hereby required to submit to the Secretary of the society a written statement (in the form annexed) giving full particulars of all debts owned to you by the said debtor within one month of the service of this notice upon you .

Seal of the Co-operative Society.

Signed.... .....

Secretary/Chief Executive Officer.

.....Co-operative Society.

Dated.....

Form for submission of statement of debts by a member or a person applying for a loan or membership of a co-operative society

[Rule 79(3)]

Name of the member or applicant.....

Address.....

Serial No.	Name of creditors (including landlords and others)	Date of loan	Amount of the loan	Rate of interest	Purpose for which the debt was incurred
1	2	3	4	5	6

Description of the document	Amount paid			Amount now due			Remarks
	Principal	Interest	Total	Principal	Interest	Total	
7	8	9	10	11	12	13	14

I solemnly declare that the informations furnished above are true to the best of my knowledge and belief.

Dated..... Signature of applicant.

Form for written statement of claims from creditors

[Rule 79(4)]

Name of debtor.....

Address.....

Serial No.	Nature of the debt with description of any bond or other document	Khatian and plot Nos. of any land mortgaged.	Date when the debt was first incurred.	Rate of interest shown in each bond.
1	2	3	4	5

Amounts paid since the current bond was executed.			Amount of principal now due.	Total claim as due.	Remarks. (Note here the amount of any loan given subsequently and amalgamated with the principal.)
Principal.	Interest.	Dates.			
6			7	8	9

Signature of Creditor.....

Address.....

Form for Declaration under section 48

[Rule 81(1)]

I,.....(age.....), residing at..... ....., having been admitted to the membership of .....Society Limited with unlimited liability and being desirous of borrowing loan from the Society make this declaration as required by section 48 of the West Bengal Co-operative Societies Act, 1973, that I own/have interest as a tenant in land specified in the schedule, and I hereby create a charge on the said land/interest in favour of the society for the payment of the amount of the loan which the society may make and for all future advances, if any, which the society may make to me subject to the maximum amount of Rs..... together with interest on such amount of the loan and advances.

Schedule

Name of village	Name of thana	Name of district	Khatian No., Mauza No. i.e., J.L. No. C. S. plot No.	Boundaries		Area Acres or in decimal of an acre
1	2	3	4	5	6	7
				South East	North West	

Assessment Rupees 8(a)	Assessment Paise 8(b)	Approximate value 9	Encumbrances, if any Nature 10(a)	Encumbrances, if any Amount 10(b)	Remarks, if any 11

In witness whereof I, Shri....., hereunder set my hand this.....day of.....in the year one thousand nine hundred and.....

Signed and delivered by the abovenamed in the presence of—

(1)

(2)

Applicant's/Borrower's signature.

Attested by

Form of Register of declarations made under section 48

[Rule 81(2)]

Serial No. 1	Date of entry in the register 2	Name of the members 3	Date of declaration 4	Name of the mauza in which land is situated 5

Amount of maximum loan 6	Remarks, if any 7	Initials of the Chairman/Secretary 8

Form of application for demarcation of the irrigable area under section 49

(Rule 82)

To

The Collector of.....

The application of.....Co-operative Society for demarcation of the irrigable area under section 49 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973)

1. Particulars of the Society—
   (a) Registered name of the Society:
   (b) Date of establishment (indicating registration number and date):
   (c) Address:
2. Particulars of source of irrigation—
   (a) Description with boundaries:
   (b) Local name, if any:
3. Particulars of the persons having right of irrigation—

   (Separate lists to be drawn up for members and non-members)

Name and address of the member or non-member	Plot No.	Class of land	Boundaries	Area		Remarks
				Acre	Dec.	
1	2	3	4	5	6	7

Signature of Secretary/Chief Executive Officer

Form of application for demarcation of the protected area under section 49

(Rule 82)

To

The Collector of.....

The application of.....Co-operative Society for demarcation of the area protected by embankment under section 49 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973)

1. Particulars of the Society—
   (a) Registered name of the Society:
   (b) Date of establishment (indicating registration Nos. and date):
   (c) Address:
2. Particulars of the embankment—
   (a) Description with boundaries:
   (b) Local name, if any:
3. Particulars of the land and persons benefited by the embankment—

Name and address of the person (member or non-member).	Plot No.	Class of land.	Boundaries.	Area		Remarks.
				Acre.	Dec.	
1	2	3	4	5	6	7

Signature of Secretary/Chief Executive Officer.

Form of application for consolidation of land holdings under section 49

(Rule 82)

To

The Collector of.....

The application of..... Co-operative Society for consolidation of land holdings under section 49 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973).

1. Particulars of the Society—
   (a) Registered name of the Society:
   (b) Date of establishment (indicating registration No. and date):
   (c) Address:
2. Particulars of the Co-operative Farming area—
   (a) Description with boundaries:
   (b) Names of members holding plots within the area indicating plot No., etc., against each.
   (c) Names of non-members holding plot within the area indicating plot No., etc., against each.

Signature of Secretary/Chief Executive Officer.

Form of Notice under section 49(3)

(Rule 83)

Notice is hereby given that an application (copy enclosed) under section 49 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973), has been received from.....Society, ...(address), for demarcation of the area irrigable from the source of irrigation/protected by the embankment/consolidation of land holdings as specified therein,..... .....(designation of officer) has been deputed to prepare a map of the irrigable/protected area/Co-operative Farming area and also a statement of the cultivable/protected lands/land for consolidation as mentioned therein by..... .....(date). Persons interested and public are required to appear before him when he visits the locality and help him in respect of preparation of the map and the statement.

Collector.

Form of Statement

(Rule 85)

(1) Name and address of the person in possession (member or non-member)..... .....
(2) Name of Panchayet.....
(3) Khatian No.....
(4) Plot No.....
(5) Class of land.....
(6) Area in acres.....
(7) Boundaries.....

Signature.
Date.

Form of direction to be given to non-members under section 49(10)(d)

(Rule 88)

In terms of the provisions of clause (*d*) of sub-section (*10*) of section 49 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973) Shri....., owner/possessor of the land particulars of which are furnished below, falling within the "Co-operative Farming area" of.....Society, is hereby directed to join the Society within a period of 45 days as a member thereof undergoing necessary formalities in this connection.

Particulars of land.....

In case of his refusal to do so action will have to be taken under clause (*e*) of section 49(*10*) of the Act.

Secretary/Chief Executive Officer,
.....Society.

To

Shri.....

Address.....(all non-members) owning/possessing land of the Co-operative Farming area.

Form of Proxy

(Rule 92)

The.....Co-operative Society (Limited).

I,....., of....., in the district of....., being a member of the.....Co-operative Society (Limited), hereby appoint.....of..... as my proxy to vote for me and on my behalf at the (ordinary or extraordinary) general meeting of the.....Co-operative Society to be held on the.....day of.....19....., and at any adjournment thereof.

Signed this the.....day of.....19.....

Signature.....(stamp)

Witness—

Name.....

Address.....

AUDIT STATEMENT

(Rule 120)

Period of audit from.....

1. Name and address of the Society.....
2. Class of society.....
3. Registered No. and date.....
4. Number of members—
   (a) Individuals.....
   (b) Societies.....
5. Working Capital [rule 2(1)(k)].....
6. Rate of interest—
   (a) On lendings.....
   (b) On borrowings.....
   (c) On deposits.....
7. Rate of dividend declared at the close of the previous working year....
   .....

Cash account for the period from..... to.....

Receipts	Rs. P.	Disbursements	Rs. P.
1. Opening Balances ..		1. Share Capital refunded, if any.	
2. Share Receipts—		2. Debentures repaid ..	
(1) Ordinary ..		3. Loans from Government repaid	
(2) Preference ..		4. Loans repaid to Apex Bank or Central Societies	
3. Other Capital Receipts—		5. Overdraft from other Banks repaid.	
(i) Block Assets' Sale Proceeds.		6. Deposits repaid to—	
(1) Land and Buildings		(1) Current—	
(2) Furniture ..			Rs.
(3) Others ..		(a) Individuals ..	
(ii) Sale proceeds of property taken over in satisfaction of claims.		(b) Primary Societies	
		(c) Central Banks and Unions.	
4. Investments withdrawn—		(d) Others ..	
(i) Government securities		Total ..	
(ii) Other Gilt Edged securities.			
(iii) Shares in co-operative societies.		(2) Savings—	
(iv) Fixed deposits ..			Rs.
(v) Others ..		(a) Individuals ..	
		(b) Primary Societies	
5. Deposits Received ..		(c) Central Banks and Unions.	
(i) Current—		(d) Others ..	
(a) Individuals ..		Total ..	
(b) Societies ..			
(ii) Savings—		(3) Fixed—	
(a) Individuals ..			Rs
(b) Societies ..		(a) Individuals ..	
(iii) Fixed—		(b) Primary Societies	
(a) Individuals ..		(c) Central Banks and Unions.	
(b) Societies ..		(d) Others ..	
(iv) Deposits from non-members.		Total ..	
(v) Deposits from Central Banks.			
(vi) Employees' Security Deposits.		Total Current, Savings and Fixed deposits repaid to—	
(vii) Employees' Provident Fund Deposits.		(a) Members ..	
(viii) Others (to be specified).		(b) Non-members ..	

Receipts	Rs.	P.	Disbursements	Rs.	P.
6. Loans, Cash Credits and overdrafts Received. (i) Apex Society .. (ii) Central Bank/Societies (iii) Individuals .. (iv) Government ..			7. Loans to— (a) Individuals .. (b) Agricultural Credit Societies. (c) Non-Agricultural Credit Societies. (d) Other Co-operative Societies (of which by paper transactions Rs.....).		
7. Loans, Cash credits and overdrafts recovered— (i) Members of the Executive Committee. (ii) General Members .. (iii) Societies .. (iv) Liquidated societies (v) Others (to be specified)			8. Investments and deposits made in— (a) Government Securities. (b) Shares in Co-operative Societies. (c) Post Office Savings Bank. (d) Postal Cash Certificates. (e) Apex Bank. .. (f) Central Banks .. (g) Others (to be specified).		
8. Bank withdrawals— (i) State Co-operative Bank. (ii) Central Bank .. (iii) Others			9. Interest paid (of which by paper transactions Rs.....).		
9. Revenue Receipts— (a) Sale of goods .. (b) Interest .. .. (i) Loans, cash credit and overdraft. (ii) Investments .. (c) Dividends .. (d) Commission and discounts. (e) Admission fee .. (f) Sale of forms .. (g) Penalty .. (h) Others (to be specified)			10. Other expenses— (a) Establishment .. (b) Contingencies .. (c) Audit fee .. (d) .. .. (e) .. .. (f) .. .. (g)		
			11. Dividend ..		
10. Miscellaneous—			12. Bonus — —		
Total ..			13. Purchase of— (a) Members' products (b) Non-members' products.		
			14. Dead stock purchased (furniture, equipment, etc.).		
			15. Other items— (a) .. .. (b) .. .. (c) .. .. (d)		
			Total ..		
			Closing balance— Cash in hand .. Cash at Bank ..		
			Grand total including the Closing Balance.		

Date.....

Signature of Audit Officer.

Date.....

Signature of Secretary/Chief Executive Officer.

N.B—"Other items" whether in the cash account, balance sheet or revenue account should always be stated in detail in the overleaf by the Audit Officer if not covered by the items in the prescribed form.

Balance Sheet as on.....19.....

LIABILITIES.

Rs. P. Rs. P.

I. Capital— .. .. ..
Authorised Capital—
Rs.
(a).....shares of Rs.....each.
(b).....shares of Rs.....each.

Subscribed Capital—
(a) .....shares of Rs.....each
(b) .....shares of Rs. ....each
Amount called and paid up at Rs. .....per share.
(a) Shares .. ..
(b) Shares .. ..
(of which shares subscribed by the Debtors of the Bank may be shown in a footnote).
(Uncalled Capital) Rs.....

II. Reserves .. .. ..
(a) Reserve Fund under section 56 of the West Ben. Act XXXVIII of 1973).
(b) Reserve for bad and doubtful debts.
(c) Reserve for overdue interest

(d) Other reserves and Funds—
Rs.
(1) General Reserve ..
(2) Building Fund ..
(3) Education Fund ..
(4) Dividend Equalisation Fund.
(5) Charity Fund ..
(6) .. ..
(7) .. ..
(8) .. ..

Total

III. Deposits .. .. ..
(i) Current—
Rs.
(a) Individuals ..
(b) Primary Societies
(c) Central Banks and Unions.

Total ..
Rs.
(ii) Savings—
(a) Individuals ..
(b) Primary Societies
(c) Central Banks and Unions.

Total ..
(iii) Fixed—
(a) Individuals ..
(b) Primary Societies
(c) Central Banks and Unions

Total ..

ASSETS.

Rs. P. Rs. P.

I. (a) Cash in hand at Head Office and branches.
(b) Cash at Banks on current account

II. (a) Investmants .. ..
(1) Government Securities—
Rs.
Face value ..
Market value ..
(2) Shares in other Co-operative Societies.
(3) Debentures and other Trustee Securities.
(4) Post Office Savings Bank Account
(5) Postal Cash Certificate ..
(6) Land and Buildings ..
(Less Depreciation at per cent. Rs.....).
(7) Other investments—
Rs.
(a) .. ..
(b) .. ..

(of which Rs.....in items 1, 2, 3, 4, and 5 and Rs.....in items 6 and 7 are on account of reserves)
(b) Deposits in—
(1) Apex Bank .. ..
(2) Central Banks ..
(3) Other Co-operative Societies.
(4) Other approved Banks.
(of which Rs. ....on account of reserves)

III. Sinking Fund Investments—
Cash Credits and Overdrafts to Co-operative Societies, Central Banks and Development Banks excluding liquidated societies—
Rs.
(a) Loans to Primary Societies ..
Of which—
(i) Overdue ..
(ii) Bad and doubtful

Rs.
(c) Long term loans to Land Mortgage Banks
Rs.
Of which—
(i) Overdue ..
(ii) Bad and doubtful
(d) Loans to Non-Agricultural Societies
Of which—
(i) Overdue ..
(ii) Bad and doubtful

V. Dues from Societies in liquidation

Total Current Savings and Fund deposit from—

Rs.

(a) Members ..
(b) Non-members ..
(iv) Employees Provident Fund deposits.
(v) Employees' Security Fund deposits.
(vi) Reserve Fund deposits of societies.
(vii) Others .. ..

IV. Loans, Cash Credits and Overdrafts—
(1) Loans from Government.
(2) Loans from State Co-operative Bank.
(3) Loans from other Banks (.....Securities Rs.....).

V. Capital raised by debentures ..
Nature of security against debenture

VI. Bills for collection (per contra) ..

VII. (a) Dividends unpaid (of which unclaimed Rs.....).
(b) Bonus unpaid .. ..
(c) Cost of management unpaid ..

VIII. Interest payable ..
(of which overdue Rs. .....).

IX. Branch adjustments .. ..

Sundries or other liabilities ..

XI. Profit and Loss account—
(a) Balance brought forward ..
(b) Net profits (+) or Loss (—) of the year.

Total ..

Contigent Liability .. ..

VI. Loans to individuals ..
Of which—
(a) Overdue .. ..
(b) Bad and doubtful ..
(1) Against fixed deposits ..
(2) Against Government Securities ..
(3) Against produce ..
(4) Others .. ..

VII. Interest due .. ..
(a) Interest receivable on Government Securities and deposits with Banks.
(b) Interest recoverable on loans and advances.

Rs.

Of which—
(1) Overdue ..
(2) Bad and doubtful

VIII. Land and other fixed assets taken over in satisfaction of claims (at Government or other authenticated valuation).

Rs.

IX. Dead Stock .. ..
(a) Furniture ..
(Less Depreciation)
(b) *Others ..

Rs.

X. Value of stock in hand

XI. Bills receivable (per contra).
XII. Branch adjustments ..
XIII. Sundry assets (to be specified)

Total ..

*Details should be furnished separately overleaf.

Details of investments should be furnished separately overleaf.

Date..... Signature of Secretary/Chief Executive Officer.....

I report that I have audited the above Balance Sheet as at..... and the annexed Profit and Loss Account for the year ended.....and have obtained all the information and explanation I have required. In my opinion the Balance Sheet and the Profit and Loss Account have been drawn up in conformity with the law and subject to my separate report of even date, the Balance Sheet exhibits a true and correct view of the state of the Society's affairs according to the best of information and the explanation given to me and as shown by the books of the Society. In my opinion the books of accounts have been kept as required under the Act, the rules, and the bye-laws.

Date..... Signature of the Audit Officer.

Trading Account for the year from 19.....to.....19.....

	Amount. Rs. P.		Amount. Rs. P.
To—		1. By sales .. .. .. (Quantity to be indicated in separate sheet)	
1. Stock at commencement of the year .. (Quantity to be indicated in separate sheet)		2. Others	Rs.
2. Purchases		(1)	
3. Cost incurred in purchasing the stock ...	Rs.	(2)	
(a) Wages		(3)	
(b) Freight		(4)	
(c) Carriage inwards			
(d) Loading and unloading ..	—		
(e) Godown rent, rates and taxes			
(f)			
(g)			
		3. Any stock at the close of the year ..	
Others—	Rs.		
(1)			
(2)			
(3)			
(4)			
Total ...		Total ...	
Grand Profit ...		Gross Loss ...	
Grand Total ...		Grand Total ...	

Signature of Audit Officer.

Signature of Secretary/
Chief Executive Officer.

Date.....

Date.....

Profit and Loss Account for the year ending.....19....

LOSS	Rs. P.	PROFIT	Rs. P.
I. Gross loss transferred from trading account.		I. Gross profit transferred from trading account.	
II. Interest paid and due ..		II. Interest received and due.	
III. Establishment and contingent charges.		III. Commission and exchange.	
	Rs.		
(i) Salaries ..			
(ii) Rents, rates and taxes		IV. Other incomes	Rs.
(iii) Printing and stationery			
(iv) Postage and telegrams		(1) — —	
(v) Audit fees ..		(2) — —	
(vi) Director's fees and travelling expenses.		(3) — —	
(vii) Travelling expenses		(4)	
(viii) Insurance ..			
IV. Miscellaneous—			
(1) .. —			
(2) ... —			
(3) ... —			
V. Depreciation —			
VI. Bad debts written off —			
VII. Reserve for bad and doubtful debts.			
Total —		Total ..	
Net Profit —		Net Loss —	
Grand Total ..		Grand Total —	

Signature of Audit Officer.

Signature of Secretary/C.E.O.

Date.....

Date.....

Profit and Loss Appropriation Account for the year from 19.....

LOSS	Rs. P.	PROFIT	Rs. P.
1. Reserve Fund—		1. Balance brought forward from last year.	
*(a) Statutory one-fourth			
(b) Entrance fees ..			
(c) Forfeited shares ..		2. Net profit as per Profit and Loss Account.	
(d) Lapsed dividends ..			
(e) Additional interest ..			
(f) Additional allotment (if any).			
2. Dividend at per cent. ..			
3. Specification of other allotments—			
(a) Contribution to the Co-operative Development Fund.			
(b) Contribution to charitable purpose.			
4. Carried to next year .			
Total ..		Total ..	

.....
Signature of
Audit Officer.

Date.....

.....
Signature of
Secretary/C.E.O.

Date.....

*In calculating the statutory one-fourth to be placed to the Reserve Fund entrance fees, forfeited shares, lapsed dividends, additional interest and profits brought forward from last year should be excluded.

Actual Distribution of Profits of the year 19.....19.....(passed in the General Meeting held on.....)

	Rs.
The year's profits	
Profits brought forward from last year	
Total ..	

	Rs. P.
Reserve Fund—	
(a) Statutory	
(b) Entrance fees	
(c) Forfeited shares	
(d) Lapsed dividends	
(e) Additional interest	
(f) Additional allotment (if any)	
Total ..	

2. To Dividend per cent. .. ..

3. Specification of other allotments—

(1) Contribution to the Co-operative Development Fund ..
(2) Contribution to charitable purpose .. .. ..
(3) Contribution to Provident Fund of employees .. ..
(4) .. ..
(5) .. ..
(6) .. ..
(7) .. ..

4. Carried to next year .. ..

Total ..

Liquidators' Notice

(Rule 142)

In the matter of.....Co-operative Society.....
in the district of.....under orders of winding up.

Notice is hereby given that the abovementioned Society has been placed under liquidation in notification No....., dated....., and the undersigned has been appointed a Liquidator of the above Society under section 90 of the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973). All Creditors of the above Society are hereby required, within one month from the date of this notice, to send their names and addresses and the particulars of their claims to the undersigned as the Liquidator of the said Society.

Date..... Signature of Liquidator.

Form of Notice in respect of prior debt

(Rule 156)

In the matter of.....Co-operative Land Development Bank Ltd. in the district of.....
Notice is hereby given that Shri....., son of Shri....., residing at....., has applied for a loan from the abovenamed Co-operative Land Development Bank. It is found from his statement that he has prior debt(s) to Shri..... .....amounting to Rs..... on account of principal and Rs.....on account of interest. Shri.....is hereby required to receive payment of the aforesaid debt from the abovenamed Bank in the manner specified below :

In case of his failure to take such payment he shall have no claim whatsoever against the property of Shri.....(the borrower) for which the loan applied for will be sanctioned by the abovenamed Bank after expiry of the period specified above.

Manager/Chief Executive Officer,
.....Land Development Bank Ltd.

Form of Public Notice

[*See* rule 157(*2*)]

Public Notice under section 95 of the West Bengal Co-operative Societies Act, 1973

Whereas Shri....., resident of....., has applied for loan for the purpose of (specify purpose)....., a purpose mentioned in rule 155 of the West Bengal Co-operative Societies Rules, 1974, from the.....Land Development Bank Limited ....., and has proposed to offer as a security for the loan, the lands mentioned below:

Lands in which improvement is proposed to be effected

Name of district	Name of P. S.	J. L. No.	Name of mauza	C.S./R.S. plot No.
(1)	(2)	(3)	(4)	(5)

Khatian No.	Classification of land	Area	Jama, Rent and Cess
(6)	(7)	(8)	(9)

Lands proposed to be offered as security

Name of district	Name of P. S.	J. L. No.	Name of mouza	C.S./R.S. plot No.
(1)	(2)	(3)	(4)	(5)

Khatian No.	Classification of land	Area	Jama, Rent and Cess
(6)	(7)	(8)	(৯)

Notice is hereby given that objections, if any, to the grant of loan from all persons interested will be heard by the undersigned at..... o'clock on.....19....., at.....(place).

Any person wishing to submit any objection should appear in person or through authorised agent at the abovementioned time and place before the undersigned together with any documents/evidence he wants to produce in support of his objections.

It is hereby notified for the information of all persons interested that a written order by the Land Development Bank or person or committees authorised under the bye-laws of the bank to make loans for all or any of the purposes specified in rule 155, granting either before or after the commencement of the West Bengal Co-operative Societies Act, 1973, a loan to the person mentioned therein with his consent, for the purpose of carrying out the work specified therein, for the benefit of the land or for the productive purpose mentioned therein, shall, for purposes of the said Act, be conclusive of the following matters, that is to say—

(a) that the work described or the purpose for which the loan is granted, is an improvement or productive purpose, as the case may be, within the meaning of rule 155;

(b) that the person had at the date of the order a right to make such improvement or incur expenditure for productive purpose, as the case may be, and

(c) that the improvement is one benefiting the land specified and the productive purpose concerns the land offered in security, or any part thereof as may be relevant.

If any person interested fail to appear as required by this notice, the questions at issue will be decided in their absence and such persons will have no claim whatsoever against the property for which the loan is applied for, and sanctioned, till such time as the loans together with interest thereon or any other dues arising out of the loan are paid in full by the loanee.

Dated at.....this day of.....19.....

Signature.....

Designation of Officer.....

Copy forwarded with compliments to the B.D.O./Sub-Registrar/Secretary of Anchal Panchayat/Gram Panchayat/A.R.C.S./Manager of..... Central Bank/Land Development Bank Limited,.....with a request to affix this notice on notice board immediately, and inform the undersigned accordingly by.....

Signature with designation and date.....

Form of the order of attachment of property

[Rule 159(2)]

Whereas on the.....day of.....borrowed Rs.....from the.....Land Development Bank and as you have failed to pay the Land Development Bank the sum of Rs.....principal Rs.....and interest, total, Rs.....it is ordered that you, the said....., be and you are hereby prohibited and restrained until further orders from transferring or charging the property specified in the schedule hereunto annexed, by sale, gift or otherwise and that all persons be, and that they are hereby prohibited from receiving the same by purchase, gift or otherwise.

Given under my hand and the seal, this.....day of.....19.....

Schedule of property.

No. of plot.	Khatian No.	Description of property distrained
1	2	3

Distrainer.

Form of notice under section 103

(Rule 164)

Notice is hereby given upon Shri.....(all concerned) that Shri.....mortgagor to the.....co-operative land development bank/central co-operative bank/apex housing society has not paid any instalment due on.....or part thereof.....Co-operative land development bank/central co-operative bank/apex housing society therefor propose to bring the mortgaged property, particulars of which are furnished below, to sale under section 101 of the Act unless the payment of the amount of Rs.....on account of principal of Rs..... on account of interest due to the bank is made on or before.....

Particulars of the land to be brought to sale.

Manager/Chief Executive Officer.

.....Co-op. Land Dev. Bank Ltd.

Form of Sale Certificate

[Rule 173(1)]

I certify that.....has purchased under the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973), the property specified below, in the district of.....and that the purchase took effect on the.....day of.....19.....

Registrar of Co-operative Societies.

Specification of property

1. District... .....
2. Thana..... .....
3. Sub-registry office.....
4. Mauza.....
5. Tauzi.....
6. Jurisdiction List No.....
7. Khatian No. and nature of interest in the property.....
8. Settlement Plot No. (Cadastral Survey).....
9. Area.....
10. Boundaries of land (if portion of a cadastral survey plot is purchased).....
11. Name of purchaser, father's name and his address.....
12. Name of seller (mortgagor with father's name) and his address.....
13. Name of landlord and his address.....
14. Amount of rent or revenue payable including cess.....
15. Right of others in the land, if any (name, nature, and extent of right).....

Form of notice to be served on the Collector by the purchaser of a property

[Rule 173(2)]

To

The Collector,.....

Take notice that properties specified in the sale certificate hereto annexed has been purchased by me at a sale held under the West Bengal Co-operative Societies Act, 1973 (West Ben. Act XXXVIII of 1973).

Purchaser of the property.....

Address.....

By order of the Governor,

P. V. SHENOI,

Jt. Secy. to the Govt. of West Bengal

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सत्यमेव जयते

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PART IA—Orders and notifications of the Government of India, Statutory notifications of the Election Commission, India, and other Election notifications published for general information. Orders and notifications which have originally been published in the "Gazette of India" are only republished

লোকসভা সচিবালয়

LOK SABHA SECRETARIAT

নয়াদিল্লী ২৪এ আগস্ট, ১৯৭৪

New Delhi, the 24th August 1974

ভারতের উপ-রাষ্ট্রপতি পদে নির্বাচন

ELECTION TO THE OFFICE OF VICE-PRESIDENT OF INDIA.

একজন প্রতিদ্বন্দ্বী প্রার্থীর ঠিকানা পরিবর্তন

Change in the address of a Contesting Candidate

ভারতের উপ-রাষ্ট্রপতি পদে একজন নির্বাচনপ্রার্থী শ্রীবাসাপ্পা দানাপ্পা জাত্তি—১৯৭৪ খ্রীষ্টাব্দের ১২ই আগস্ট তারিখের ভারত-ঘোষপত্রের অতিরিক্ত সংখ্যার দ্বিতীয় ভাগে ৩(৶০) ধারায় লোকসভা সচিবালয়ের ১৯৭৪ খ্রীষ্টাব্দের ১২ই আগস্ট তারিখের প্রজ্ঞাপন নং এস ও ৪৮৭(ই)-র সহিত প্রকাশিত প্রতিদ্বন্দ্বী প্রার্থীদের তালিকা দ্রষ্টব্য—জানাইয়াছেন যে, তিনি উড়িষ্যার রাজ্যপালের পদ হইতে ইস্তফা দিবার ফলে, প্রতিদ্বন্দ্বী প্রার্থীদের তালিকায় তথা ভারতের উপ-রাষ্ট্রপতিপদে নির্বাচনের উদ্দেশ্যে উত্তরকালীন যাবতীয় প্রসঙ্গে, তাঁহার ঠিকানা নিম্নরূপ হইবেঃ

"শ্রীবাসাপ্পা দানাপ্পা জাত্তি,
বাঙ্গালোর (কর্ণাটক)"

এস এল শকধের,
মহাসচিব, লোকসভা
এবং
উপ-রাষ্ট্রপতি নির্বাচন উপলক্ষে নির্বাচন আধিকারিক।

Shri Basappa Danappa Jatti, a candidate for election to the office of Vice-President of India, vide List of Contesting Candidates published with the notification No. S.O.487(E), dated the 12th August 1974 of Lok Sabha Secretariat in the "Gazette of India, Extraordinary," Part II, Section 3(ii) of the 12th August 1974, has intimated that consequent on his resignation of the office of Governor of Orissa, in the List of Contesting Candidates as well as for all subsequent references for the purpose of election to the office of Vice-President of India, his address will be as follows:

"Shri Basappa Danappa Jatti,
Bangalore (Karnataka)"

S. L. SHAKDHER,
Secretary-General, Lok Sabha
and
Returning Officer for the
Vice-Presidential Election.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

JUDICIAL DEPARTMENT

NOTICE

No. 10731J.—2nd September 1974.—The undermentioned person has made an application for appointment as a Notary to practise in Calcutta and in the district of Howrah under the Notaries Act, 1952.

Objections, if any, to the appointment of the applicant as a Notary may be submitted to the undersigned within fourteen days from the date of publication of this notice in the Official Gazette.

Objections received after expiry of the above-mentioned period will not be taken into consideration.

Name and Address of the applicant:

Name: Shri Jahurul Islam.

Residence: 18 Bright Street, Calcutta-17.

Chamber: 72 Beck Bagan Row, Calcutta-17.

K. K. BASU,

Dy. Secy. to the Govt. of West Bengal.

(Competent Authority).

CHANCELLOR'S SECRETARIAT

NOTIFICATION

No. 849A-Edn(U).—1st September 1974.—In exercise of the power conferred by sub-section (1) of section 15 of the Kalyani University Act, 1960 (West Ben. Act XIII of 1960), the Chancellor of the University of Kalyani is pleased to appoint Dr. D. K. Choudhuri, now Dean of the Faculty of Science, Burdwan University, to be the Vice-Chancellor of the University of Kalyani with effect from the date on which he takes over charge.

By order of the Chancellor,
D. K. GUHA,
Secy. to the Chancellor, University of Kalyani.

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The

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 10507-WT/6M-19/74.—2nd September 1974.—In exercise of the powers conferred by section 12 of the Bengal Motor Vehicles Tax Act, 1932 (Ben. Act I of 1932), the Governor is pleased to make, after previous publication as required by sub-section (1) of the said section, the following amendment in the West Bengal Motor Vehicles Tax Rules, 1957 (published with notification No. 3521-WT, dated the 1st June, 1957, at pages 1945-1964 of Part I of the "Calcutta Gazette", dated the 6th June 1957), as subsequently amended (hereinafter referred to as the said rules), namely:

Amendment

In rule 33 of the said rules, for the words and punctuation "Transport Commissioner, West Bengal", substitute the words and punctuation "Director, Public Vehicles Department, Calcutta".

By order of the Governor,
D. CHAKRABARTI,
Dy. Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Reforms

NOTIFICATION

No. 17998-L.Ref./20R-11/74.— 31st August 1974 —In exercise of the power conferred by the proviso to article 309 of the Constitution of India, the Governor is pleased hereby to make the following amendment in the rules regulating the recruitment to the West Bengal Kanungo Grade 11 Service, published with this department notification No. 1384-L Ref., dated the 22nd January 1974 (hereinafter referred to as the said rules), namely:

Amendment

In the said rules for item (b) under clause 4 substitute the following, namely:—

"(b) Education: Candidates must have passed the I.A., I.Sc. or I.Com examination of a recognised University or its equivalent."

By order of the Governor
S. MULLICK,
Secy. to the Govt. of West Bengal

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Parliamentary Affairs

NOTIFICATION

No. 211-P.A. — 4th September 1974. — The following notification by the Secretary to the Governor of West Bengal is hereby published for general information:

"NOTIFICATION

No. 3469-S. — 31st August 1974. — The President has assented to the West Bengal Comprehensive Area Development Bill, 1974.

P. K. SARKAR,
Secretary to the Governor, West Bengal."

By order of the Governor,
S. DATTA,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF PANCHAYATS

NOTIFICATION

No. 14664-Panch.—28th August 1974.—Whereas by this department notification No. 188-Panch, dated the 24th January 1972, published at page 133 of Part I of the "Calcutta Gazette, Extraordinary", dated the 28th January 1972, issued under section 67 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Ramnagar Anchal Panchayat within Sutahata-I Block, district Midnapore, was superseded for a period of one year with effect from the 1st February 1972;

And whereas by this department notification No. 700-Panch, dated the 17th January 1973, issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 1st February 1973;

And whereas by this department notification No. 2257-Panch, dated the 15th February 1974 issued under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 1st August 1973;

And whereas by this department notification No. 7479-Panch, dated the 20th May 1974, published at page 1122 of Part I of the "Calcutta Gazette, Extraordinary", dated the 22nd May 1974, issued

under clause (i) of sub-section (3) of section 68 of the said Act, the said period of supersession was extended for a further term of six months with effect from the 1st February 1974;

And whereas the Governor considers it necessary to extend the said period of supersession for a further term of six months;

Now, therefore, in exercise of the power conferred by clause (i) of sub-section (3) of section 68 of the West Bengal Panchayat Act, 1957 (West Bengal Act I of 1957), the Governor is pleased hereby to extend the said period of supersession of the Ramnagar Anchal Panchayat for a further term of six months with effect from the 1st August 1974.

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No 5934-F.T.—4th September 1974.—In exercise of the power conferred by sub-section (2) of section 5 of the West Bengal Motor Spirit Sales Tax Act, 1974 (West Ben. Act XI of 1974), the Governor is pleased to make, with effect from 15th July 1974, the following amendment in this department notification No. 1143-F.T., dated the 1st April 1974, published at pages 713 to 714 of Part I of the "Calcutta Gazette, Extraordinary", dated the 1st April 1974, read with corrigendum No. 4040-F.T., dated the 24th June 1974, published at page 1261 of Part I of the "Calcutta Gazette", dated the 24th June, 1974 (hereinafter referred to as the said notification), namely:—

Amendment

In the Schedule to the said notification, for the entry against number (3), the following entry shall be substituted, namely:—

"Hindusthan Petroleum Corporation Ltd.".

By order of the Governor,
K. BANERJEE,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTIFICATION

CALCUTTA. — No. 18236-L.A.(II)/2R-17/74. — 3rd September 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No. 20/1//55 Judl. (i), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs under clause (1) of article 258 of the Constitution of India, as S.R.O. 1074 and published at page 868, Part I, Section 3 of the "Gazette of India", dated 21st May 1955;

And whereas it appears to the Governor that land is likely to be needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby notified that a piece of land comprising eastern portion of a Municipal Park as described in the schedule below and measuring, more or less, 0.0089 of a hectare (0.0219 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the Ward No. 42 of the Calcutta Municipality in the city of Calcutta.

This notification is made under the provisions of section 4 of Act I of 1894, read with the said notification, to all whom it may concern.

A plan of the land may be inspected in the Office of the First Land Acquisition Collector, Calcutta, at No. 45, Princep Street (45, Biplabi Anukul Chandra Street, Calcutta).

In excercise of the powers conferred by the aforesaid section, read with the said notification, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the above land, who has any objection to acquisition thereof, may, within thirty days after the date on which public notice of the substance of the notification is given in the locality, file an objection in writing before the Land Acquisition Collector, Calcutta, at 45 Princep Street (45 Biplabi Anukul Chandra Street), Calcutta.

Schedule

Name of Road/Street/Lane and Premises No.—Eastern portion of a Municipal Park being Premises No. 38 Munshi Sadaruddin Lane opposite to Mahajati Sadan on Chittaranjan Avenue, Calcutta.

Description of specific portion to be acquired—Eastsern portion

Area.—0.0089 hectare, (0.0219 acre),

Ward No.—42.

and bounded on the—

North—By remaining portion of 38 Munshi Sadaruddin Lane.

East—By Chittaranjan Avenue.

South—By remaining portion of 38 Munshi Sadaruddin Lane.

West—By remaining portion of 38 Munshi Sadaruddin Lane, Calcutta.

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 2102-L.—4th September, 1974.—The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information :—

West Bengal Act XXXIX of 1974

THE WEST BENGAL COMPREHENSIVE AREA DEVELOPMENT ACT, 1974.

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary,* of the 4th September, 1974.]

An Act to provide for development of the State of West Bengal through area based development programme with a view to increasing agricultural and allied production and ensuring maximum benefits of such production to the cultivators.

WHEREAS it is expedient in the public interest to provide for development of the State of West Bengal through area based development programme with a view to increasing agricultural and allied production and ensuring maximum benefits of such production to the cultivators and thereby to give effect to the policy of the State towards securing the principles specified in clause (*b*) and clause (*c*) of article 39 of the Constitution of India;

It is hereby enacted in the Twenty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title, extent and commencement.

1. (*1*) This Act may be called the West Bengal Comprehensive Area Development Act, 1974.

(*2*) It extends to the whole of West Bengal.

(*3*) It shall come into force on such date or dates as the State Government may, by notification in the *Official Gazette,* appoint and different dates may be appointed for different provisions of this Act or for different areas.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*a*) "agricultural production" includes production of agriculture, horticulture, pisciculture, forestry, sericulture, bee-keeping, dairy farming, piggery and poultry farming and also includes such other types of production as are ancillary or incidental thereto and as the State Government may, by notification in the *Official Gazette,* specify as agricultural production;

The West Bengal Comprehensive Area Development Act, 1974.

(*Sections 3—9.*)

(*b*) "Corporation" means the West Bengal Comprehensive Area Development Corporation established under sub-section (*1*) of section 3;

(*c*) "cultivator" means a person engaged in agricultural production either in the capacity of an owner or a lessee or a *bargadar* or a labourer;

(*d*) "notified area" means an area notified under sub-section (*2*) of section 15;

(*e*) "prescribed" means prescribed by rules made by the State Government under this Act;

(*f*) "project" includes scheme or schemes undertaken within a notified area for the purpose of fulfilling the objects referred to in section 8;

(*g*) "regulations" mean regulations made by the Corporation under this Act.

Establishment of the Comprehensive Area Development Corporation.

3. (*1*) The State Government shall, as soon as may be after the commencement of this Act, by a notification in the *Official Gazette*, establish for the State of West Bengal a Corporation to be called the West Bengal Comprehensive Area Development Corporation.

(*2*) The Corporation shall be a body corporate having perpetual succession and a common seal and may by the said name sue or be sued.

Members and their terms of office.

4. (*1*) The Corporation shall consist of a Chairman, a Vice-Chairman, and such number of other members not exceeding thirty as the State Government may think fit to appoint.

(*2*) The term of office of, and the manner of filling casual vacancies among, the members of the Corporation shall be such as may be prescribed.

Removal of a member from office.

5. The State Government may remove from office any member of the Corporation who has, in the opinion of the State Government, so abused his position as to render his continuance in office as a member of the Corporation detrimental to the interests of the Corporation.

Executive Vice-Chairman.

6. (*1*) The State Government shall, subject to such terms and conditions as may be prescribed, appoint a member of the Corporation to be the Executive Vice-Chairman of the Corporation who shall be its Chief Executive Officer.

(*2*) The Executive Vice-Chairman shall exercise such powers and perform such duties as may be provided by regulations.

Officers and other employees of the Corporation.

7. Subject to such terms and conditions as may be provided by regulations, the Corporation may appoint such officers and other employees as it considers necessary for the purpose of carrying out the provisions of this Act:

Provided that no person whose honorarium or maximum salary exceeds fifteen hundred rupees per month shall be appointed by the Corporation except with the previous approval of the State Government.

Objects of the Corporation.

8. The Corporation shall be responsible for drawing up and implementation of projects for comprehensive development of selected areas in the State with a view to increasing agricultural production and ensuring maximum benefits of such production to the cultivators.

Powers of the Corporation.

9. The Corporation shall, for the purpose of carrying out its functions under this Act, have the following powers, namely:—

(*a*) to acquire, hold and dispose of movable and immovable property;

The West Bengal Comprehensive Area Development Act, 1974.

(*Sections 10—14.*)

(*b*) to incur expenditure in the discharge of its functions under this Act;

(*c*) to borrow money with or without interest subject to such terms and conditions as may be prescribed, and for that purpose pledge, hypothecate or mortgage any of its assets;

(*d*) to advance loans on such terms and conditions as may be prescribed;

(*e*) to write off loans subject to such conditions as may be prescribed;

(*f*) to enter into or perform such contracts as may be necessary for the performance of its duties and the exercise of its powers under this Act.

Meetings of the Corporation.

10. (*1*) The Corporation shall meet at such times and at such places and observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations.

(*2*) The first meeting of the Corporation shall be held in accordance with such procedure as may be prescribed.

Committees.

11. The Corporation may, by resolution, constitute different committees consisting of such number of persons not exceeding five, on such terms and conditions and for such purposes in connection with execution of any scheme or schemes, as may be specified in the resolution.

Grants, loans, etc., in favour of the Corporation.

12. The State Government may, from time to time, make grants and advance loans to, and act as a guarantor for loans to be obtained by, the Corporation for the purposes of this Act on such terms and conditions as the State Government may determine in each case.

District Comprehensive Area Development Councils.

13. (*1*) The Corporation shall constitute for each district a District Comprehensive Area Development Council (hereinafter referred to as the Council) with a view to aiding and advising the Corporation with regard to the projects undertaken in the district.

(*2*) The Council shall consist of the District Magistrate, the Project Directors of the projects undertaken in the district, the District Agricultural Officer or the Principal Agricultural Officer, as the case may be, a representative each from the District Planning Committee, the Advisory Board of the Project concerned and the *Zilla Parishad* and such other persons as the Corporation may deem fit to appoint.

(*3*) The Council shall have a Chairman to be elected from amongst the members of the Council and it shall meet at such times and at such places and shall observe such rules of procedure in regard to transaction of business at its meetings as may be provided by regulations.

Projects and its contents.

14. (*1*) The Corporation shall, with the previous approval of the State Government, select the area where any project is to be undertaken and shall submit to the State Government for its approval the particulars of such project together with the financial implications.

(*2*) The particulars of a project referred to in sub-section (*1*) may include the existing as well as future provisions relating to such infra-structure and other facilities as roads, drainage, *bundhs*, major and minor irrigation, electricity, warehouses, cold storages, provision of staff quarters, approved centres of marketing, extension, education and training programmes, development of co-operatives, etc.

The West Bengal Comprehensive Area Development Act, 1974.

(*Sections 15—18.*)

Power of the State Government to sanction or reject a project.

15. (*1*) The State Government may approve either with or without modification, or may refuse to approve, any project submitted to it under secion 14.

(*2*) Whenever the State Government approves any project under sub-section (*1*), it shall publish a notification in the *Official Gazette*, specifying the area in which the project shall be implemented.

Project Director and Advisory Board.

16. (*1*) For each project there shall be a Project Director and an Advisory Board to be appointed by the Corporation.

(*2*) An Advisory Board shall consist of such number of persons as may be determined by the Corporation and shall include persons belonging to the following categories, namely:—

(*i*) marginal farmers,

(*ii*) small farmers,

(*iii*) labourers,

(*iv*) progressive farmers,

(*v*) share-croppers,

(*vi*) one representative each from the farmers' co-operative societies within the notified area,

(*vii*) Block Development Officers and all Extension Officers at the block level,

(*viii*) officials of the Corporation to be nominated by the Corporation,

(*ix*) one representative each from the Gram Panchayats and Panchayat Samities included within the notified area,

(*x*) persons interested in agricultural production, and

(*xi*) persons with experience and knowledge of financial affairs.

(*3*) The powers and functions of the Advisory Board and the terms and conditions of service of the Project Director shall be such as may be provided by regulations.

Explanation:—For the purposes of this section,—

(*a*) a marginal farmer means a person who owns land measuring not more than one hectare, and

(*b*) a small farmer means a person who owns land measuring more than one hectare but less than two hectares.

Functions of the Project Director.

17. Subject to the provisions of any regulations or any directions given by the Corporation, the Project Director shall be in overall and immediate charge of implementation of any project approved by the State Government under sub-section (*1*) of section 15.

Consequences of a notification under section 15.

18. On a notification under sub-section (*2*) of section 15 being published in the *Official Gazette*, it shall be the duty of each cultivator—

(*1*) to follow the directions of the Project Director with regard to the following matters, namely:—

(*i*) the manner in which cultivation is to be carried out;

(*ii*) the crops which are to be raised and the rotation of such crops;

(*iii*) the manner of carrying on any other agricultural production;

(*iv*) the application and use of various inputs for agricultural production such as, seeds, pesticides, manures, fertilisers, fingerlings, fodder, poultry feed, and such other items as may be provided by regulations;

(*v*) provision for field channels for carrying water for purposes of irrigation;

(*vi*) provision for drainage;

The West Bengal Comprehensive Area Development Act, 1974.

(Sections 19—22.)

(*vii*) location of wells, tube-wells, pumps and other sources of irrigation;

(*viii*) erection and removal of fences over lands;

(*ix*) provision of pastures; and

(*x*) such other matters as may be provided by regulations;

(*2*) to submit returns within such time and in such manner as may be provided by regulations containing a true and accurate statement regarding the following matters, namely:—

(*i*) area of land cultivated by him, the classification of such land, his interest therein and incumbrances on such land, if any;

(*ii*) the nature and quantity of agricultural production raised by him;

(*iii*) any other matter which may be provided by regulations.

Corporation to act as co-ordinator.

19. The State Government shall, for carrying out the purposes of this Act, have powers to issue such directions as may be necessary with a view to co-ordinating and integrating the activities of such agencies as the West Bengal Minor Irrigation Corporation, the Rural Electrification Corporation, the Fertilizer Corporation and the Agro-Industries Corporation and any other Corporation constituted under any law for the time being in force.

Loans to cultivators.

20. (*1*) The Project Director shall arrange for giving such loans to the cultivators as may be considered necessary for the purpose of augmenting agricultural production.

(*2*) The Project Director may act as an agent of any bank or other financial institution in the matter of distribution of loan or as an agent of the cultivator in the matter of obtaining such loan and he may also act as an agent for recovery of loan due from the cultivators.

(*3*) Any loan advanced to a cultivator under this section including any interest chargeable thereon shall be the first charge on the crop raised or on the output of any other agricultural production carried on by the cultivator as well as on any other property acquired by him through such loan.

(*4*) Any loan advanced by or through the Project Director including the interest chargeable thereon shall be recoverable as a public demand under the Bengal Public Demands Recovery Act, 1913. **Ben. Act III of 1913.**

Constitution of Debt Settlement Boards.

21. In each notified area there shall be one or more Debt Settlement Boards to be established under sub-section (*1*) of section 3 of the Bengal Agricultural Debtors Act, 1936, which shall settle all outstanding debts in accordance with the provisions of the said Act notwithstanding that any such debt had been incurred after the first day of January, 1940. **Ben. Act VII of 1936.**

Setting up of warehouses.

22. Notwithstanding anything to the contrary contained in the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972— **West Ben. Act XXX of 1972.**

(*1*) in each notified area—

(*i*) the Project Director may arrange for setting up marketing centres, equipped with warehouse and such other facilities including processing as may be required for profitable disposal of any agricultural production, and

(*ii*) every cultivator shall, with a view to discharging any of his liabilities referred to in clause (2) deposit in the warehouses such quantity of agricultural production as may be directed by the Project Director;

The West Bengal Comprehensive Area Development Act, 1974.

(*Sections 23—27.*)

(*2*) the Project Director shall sell or cause to be sold the agricultural production deposited by a cultivator under clause (*1*) and pay to him the price thereof after deducting therefrom—

(*i*) such marketing fee, storage and service charges not exceeding six *per cent.* of the market value of the gross agricultural production obtained by him as may be prescribed,

(*ii*) the amount of any loan or advance together with interest thereon as may be found due against him, and

(*iii*) the amount of any debt found due against him by the Debt Settlement Board under section 21.

Setting up of *Dharmagolas.*

23. (*1*) Notwithstanding anything contained in section 22, there shall be one or more *Dharmagolas* to be set up by the Project Director in such manner as may be provided by regulations in which shall be stored all items of agricultural production received from the cultivators as voluntary contribution together with all other receipts referred to in section 24.

(*2*) The Project Director may advance loan of any item of agricultural production from such *Dharmagolas* to persons in distress residing within the notified area subject to such terms and conditions as may be provided by regulations.

Powers of the Project Director under West Ben. Act XVI of 1969.

24. Notwithstanding anything contained in the West Bengal Utilisation of Land for Production of Food Crops Act, 1969, the Project Director shall have all the powers of a Collector under the said Act and the share due to the Collector amounting to ten *per cent.* of the gross produce of any land requisitioned under that Act within a notified area shall be deposited in the *Dharmagola* set up under sub-section (*1*) of section 23.

Share of crop between owner and *bargadar.*

25. Where any land is cultivated by a *bargadar*, sharing of the crop between an owner and a *bargadar* shall be according to the provisions of the West Bengal Land Reforms Act, 1955. West Ben. Act X of 1956.

Delegation.

26. The Corporation may by order delegate to the Project Director such of its powers and functions as it considers necessary or expedient.

Penalty.

27. (*1*) If any cultivator defaults in following any of the directions referred to in sub-section (*1*) of section 18 or in submitting any of the returns referred to in sub-section (*2*) of that section or in depositing the required quantity of agricultural production referred to in clause (*1*) of section 22, the Project Director shall bring to the notice of the cultivator the nature of default made by him and shall also direct him to fulfil his obligations within such period as may be prescribed.

(*2*) If the cultivator does not comply with the directions issued by the Project Director under sub-section (*1*), a Board consisting of such number of persons not exceeding five to be appointed by the State Government in this behalf, upon complaint made to it by the Project Director, may, in such manner as may be prescribed and after giving the cultivator an opportunity to show cause against the action proposed to be taken, impose upon him a fine not exceeding five hundred rupees, and where the breach is a continuing one a further fine not exceeding twenty-five rupees for each day during which the breach continues and such fine if not duly paid shall be recoverable as a public demand under the Bengal Public Demands Recovery Act, 1913. Ben. Act III of 1913.

The West Bengal Comprehensive Area Development Act, 1974.

(Sections 28—31.)

(*3*) Any person aggrieved by an order passed by the Board under sub-section (*2*) may appeal to the Collector of the district within such time and in such manner as may be prescribed and the order passed by the Collector upon such appeal shall be final.

Fund of the Corporation.

28. (*1*) The Corporation shall have a fund to be called the West Bengal Comprehensive Area Development Corporation Fund to which shall be credited—

(*a*) all moneys received from the State Government as grants and loans advanced under section 12;

(*b*) all moneys borrowed by the Corporation under clause (*c*) of section 9;

(*c*) all marketing fees, storage and service charges realised under sub-clause (*i*) of clause (*2*) of section 22;

(*d*) any other receipts.

(*2*) The fund shall vest in the Corporation and shall be under its control and shall be held in trust for the purposes of this Act.

(*3*) All moneys belonging to the Corporation shall be deposited in such custody and in such manner as the State Government may, by special or general order, direct.

(*4*) The accounts of the Corporation shall be operated either jointly or severally as the Corporation may direct by order made in this behalf, by the Executive Vice-Chairman and such other officer or officers of the Corporation as it may authorise.

Budget.

29. (*1*) The Corporation shall in each year, by such date and in such form as may be prescribed, prepare a budget estimate showing the anticipated income and expenditure of the Corporation for the next financial year as well as a revised estimate showing the income and expenditure of the Corporation for the current financial year and shall submit to the State Government a copy each of such budget estimate and revised estimate within such time as may be prescribed.

(*2*) The State Government may either approve or modify within such time and in such manner as may be prescribed the budget estimate and the revised estimate.

Restriction as to expenditure.

30. No expenditure shall be incurred by the Corporation from its fund except for the purposes of this Act, and unless such expenditure is provided for in the budget estimate, or the revised estimate as the case may be.

Accounts and audit.

31. (*1*) The accounts of the Corporation shall be maintained and an annual statement of accounts prepared in such form and in such manner as may be prescribed.

(*2*) The accounts of the Corporation shall be audited annually by an auditor appointed by the State Government.

(*3*) On receipt of the auditor's report, the Corporation shall forward the same along with the audited accounts to the State Government, and the State Government may issue such directions as it thinks fit in relation to such report and accounts, and the Corporation shall comply with such directions.

The West Bengal Comprehensive Area Development Act, 1974.

(Sections 32—37.)

Fixing minimum wages for agricultural labourer.

32. Whenever the Corporation is of opinion that the minimum rate or rates of wages payable to any class of agricultural labourers ought to be fixed or revised the Corporation shall make a reference in this behalf to the State Government and the State Government shall take such steps as may be necessary in order to fix or revise such wages in accordance with the provisions of the Minimum Wages Act, 1948: 11 of 1948.

Provided that the rate or rates of wages payable to any class of agricultural labourers may, if the Corporation so thinks fit, be higher than the minimum wages notified under the Minimum Wages Act, 1948.

Notice to be given in case of registration of an instrument for transfer of holding.

33. Notwithstanding anything to the contrary contained in the West Bengal Land Reforms Act, 1955, the Registering Officer shall not accept for registration any instrument for transfer of the holding of a *raiyat* or a share or portion thereof within the area notified under sub-section (*2*) of section 15, unless there is tendered along with it a notice giving the particulars of the transfer in the prescribed form for transmission to the Corporation. West Ben. Act X of 1956.

Certain persons to be deemed to be public servants.

34. The members of the Corporation and of the Council and persons in the service of the Corporation shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Indemnity.

35. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for anything in good faith done or intended to be done under this Act.

Power to remove difficulties.

36. If any difficulty arises in giving effect to the provisions of this Act, the State Government may make such order or do such thing, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty.

Power to make rules.

37. (*1*) The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.

(*2*) Without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely:—

(*a*) the term of office of, and the manner of filling casual vacancies among, the members of the Corporation referred to in sub-section (*2*) of section 4;

(*b*) the terms and conditions of service of the Executive Vice-Chairman referred to in sub-section (*1*) of section 6;

(*c*) the conditions subject to which officers and other employees of the Corporation are to be appointed under section 7;

(*d*) the terms and conditions subject to which the Corporation may borrow money, advance loans or write off loans under clauses (*c*), (*d*) and (*e*) of section 9;

(*e*) the procedure in connection with the first meeting of the Corporation referred to in sub-section (*2*) of section 10;

(*f*) the rates of marketing fee, storage and service charges under sub-clause (*i*) of clause (*2*) of section 22;

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(*Section 38.*)

(*g*) the period within which obligations are to be fulfilled referred to in sub-section (*1*), the manner of hearing objections referred to in sub-section (*2*), and the time and manner of filing appeal under sub-section (*3*), of section 27;

(*h*) the date by which and the form in which a budget estimate and a revised estimate shall be prepared and the time within which such budget estimate and revised estimate shall be submitted to the State Government under sub-section (*1*), and the time within which and the manner in which the State Government may approve or modify such budget estimate and revised estimate under sub-section (*2*), of section 29;

(*i*) the form and manner in which the annual statement of accounts shall be prepared under sub-section (*1*) of section 31;

(*j*) any other matter which may be, or is required to be, prescribed.

Regulations.

38. (*1*) The Corporation may, with the previous sanction of the State Government, make regulations not inconsistent with this Act and the rules made thereunder for the administration of the affairs of the Corporation.

(*2*) Without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(*a*) powers to be exercised and duties to be performed by the Executive Vice-Chairman of the Corporation referred to in sub-section (*2*) of section 6;

(*b*) the terms and conditions of service of the officers and other employees of the Corporation appointed under section 7;

(*c*) place, time and number of meetings of the Corporation and the rules of procedure to be followed at such meetings referred to in sub-section (*1*) of section 10;

(*d*) place, time and number of meetings of the District Comprehensive Area Development Councils and the rules of procedure to be followed at such meetings referred to in sub-section (*3*) of section 13;

(*e*) powers and functions of the Advisory Board and the terms and conditions of service of the Project Director referred to in sub-section (*3*) of section 16;

(*f*) conditions subject to which the Project Director shall discharge his functions under section 17;

(*g*) other items referred to in sub-clause (*iv*), and matters referred to in sub-clause (*x*), of clause (*1*) of section 18, regarding which the Project Director may issue directions;

(*h*) time within which and manner in which a return is to be submitted under clause (*2*) of section 18;

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(*i*) manner in which *Dharmagolas* are to be set up under sub-section (*1*), and the terms and conditions subject to which loan of any item of agricultural production is to be advanced under sub-section (*2*), of section 23;

(*j*) any other matter which may be, or is required to be, provided by regulations.

Act to override the provisions of other laws.

39. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law or in any contract, express or implied, or in any instrument and notwithstanding any custom or usage to the contrary.

By order of the Governor,
K. K. MOITRA,
Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
COMMERCE AND INDUSTRIES DEPARTMENT

Industries (Planning)

ORDER

No. 4280Ind/Pl.—4th September 1974.—In pursuance of this department Resolution No. 4279-Ind/Pl., dated the 4th September 1974, extending the West Bengal Incentive Scheme, 1971, for a period of one year from the 1st April 1974, the Governor has been pleased to direct that the following amendment be made in this department Order No. 2891-Ind/Pl., dated the 9th June, 1972, published at pages 1627 to 1658 of Part I of the "Calcutta Gazette, Extraordinary", dated the 7th August 1972 (hereinafter referred to as the said Order), namely:

Amendment

In the said Order, in sub-paragraph (b) of paragraph 1, for the figure "1974" occurring in the third line, substitute the following figure, namely:

"1975".

This Order issues with the concurrence of the Finance Department vide their unofficial No. Group C 1885, dated the 30th August 1974.

By order of the Governor,
S. S. VARMA,
Industries Commissioner and
Secy. to the Govt. of West Bengal.

1702(a)

RESOLUTION

No. 4279-Ind/Pl.—4th September 1974.—Whereas it is necessary and expedient to extend the West Bengal Incentive Scheme, 1971, published with this department Resolution No. 3300-Ind/Pl., dated the 18th December 1971, at pages 2507 to 2513 of Part I of the "Calcutta Gazette, Extraordinary", dated the 20th December 1971, as subsequently amended (hereinafter referred to as the said scheme), for a period of one year from the 1st April, 1974;

Now, therefore, the Governor is pleased hereby to direct the following amendment be made in the said scheme, namely:

Amendment

In the said scheme, in paragraph 7, for the figure "1974" occurring in the last line, substitute the following figure, namely:

"1975".

This Resolution issues with the concurrence of the Finance Department vide their unofficial No. Group C 1885, dated the 30th August 1974.

By order of the Governor,
S. S. VARMA,
Industries Commissioner and
Secy. to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

24-PARGANAS —No. 18412-L.A.(P W)/2R-158/74—4th September 1974 — Whereas 3·8551 hectares (9·53 acres), more or less, of land, situated in or near the village of Nonadanga described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 by the person authorised under section 3 (1A) of the Act for the public purpose of providing facilities for transport and communication, namely, for the construction of the Eastern Metropolitan Bye Pass

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1A) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, 24-Parganas South), Collectorate 24-Parganas, Alipore

Description of the land

Mouza Nonadanga, jurisdiction list No. 10, policestation Jadavpur, district 24-Parganas

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre	Area in hectare
322	Entire	0·55	0·2225
323	Entire	4·15	1·6787
324	Entire	1·36	0·5502
325	Entire	1·27	0·5137
342	Entire	0·45	0·1821
343	Entire	1·13	0·4571
323/447	Entire	0·62	0·2508

By order of the Governor,

S. GHOSH,

Spl Officer and Dy. Secy. (Ex-officio) to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

ORDERS

No. 19686-F.S./FS/14R-14/71.—5th September 1974.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955), read with the Government of India, Ministry of Agriculture (Department of Food), order No. G.S.R.316(E), dated the 20th June 1972, the Governor is pleased hereby to rescind, with effect from the 5th September 1974, the West Bengal Guests Control Order, 1968, published with this department order No. 1725-F.S./FS/14R-2/67, dated the 5th March 1968, in Part I of the "Calcutta Gazette, Extraordinary" of even date, except as respects any action taken or anything done or omitted to be done thereunder before the said date.

By order of the Governor,
S. L. BOSE,
Jt. Secy. to the Govt. of West Bengal.

No. 19687-F.S./FS/14R-14/71-Pt.—5th September 1974.—Whereas the Governor is of opinion that it is necessary so to do for the maintenance and increase of supplies essential to the life of community;

Now, therefore, in exercise of the powers conferred by rule 114 of the Defence of India Rules, 1971, the Governor is pleased hereby to make the following order, namely:

1. **Short title, extent and commencement.** (1) This order may be called the West Bengal Guests Control Order, 1974.

(2) It extends to the whole of West Bengal.

(3) It shall come into force at once.

2. **Definitions:** In this order, unless the context otherwise requires,

(a) "caterer" means the proprietor or other person in charge of a catering establishment and includes an agent or servant who acts on behalf of such caterer;

(b) "catering establishment" means a hotel, restaurant, eating house, cafe, tea shop, coffee house, free feeding centre, club, canteen or railway refershment room and includes any other place of a like nature open to the public, where food is prepared, supplied or consumed;

(c) "host" means a person who either himself or through any other person undertakes to distribute, or provide for consumption, food in a party, entertainment or social or other function;

(d) "institutional establishment" means a hospital, sanatorium, convalescant home, nursing home, orphanage, workshouse, infirmary, asylum or school providing food and includes any other establishments of a like nature;

(e) "prohibited foodstuffs" means cereals and their products and all preparations therefrom and sweetmeats prepared from casein (Chhana) and Khoa (Kshir);

(f) "residential establishment" means a boarding apartment house, residential hotel, or nurses' home and includes any other establishment of a like nature but does not include a private household.

3. **Restriction on preparation, consumption and Distribution of prohibited foodstuffs:** (1) No person, or body of persons, acting in concert either jointly or severally, other than a caterer at or in connection with one or more parties, entertainments or functions, shall, on any one day, either himself or themselves, prepare, serve, distribute or provide for consumption, or accept or contribute for service or distribution for consumption, any prohibited foodstuff to more than twenty-five persons (including the host or hosts) at ordinary parties or entertainments or social or other functions or to more than fifty persons (including the host or hosts) in connection with weddings or funerals.

(2) No caterer at the instance or for the benefit of himself or any person in connection with one or more of his own or such person's parties, entertainments or functions, shall, on any one day, either himself or through any other caterer, serve, distribute or provide for consumption, or accept for service or distribution for consumption, any prohibited foodstuff to more than twenty-five persons (including the host or hosts) at ordinary parties or entertainments or social or other functions or to more than fifty persons (including the host or hosts) in connection with weddings or funerals.

(3) No person shall accept or consume any prohibited foodstuff at or in connection with any party, entertainment, social or other function, wedding or funeral where the number of participants (including the host or hosts) exceeds twenty-five in the case of ordinary parties, entertainments or social or other functions, or where such number exceeds fifty (including the host or hosts) in the case of weddings or funerals:

Provided that nothing in this paragraph shall apply to;

(i) parties, entertainments or social or other functions in the premises serving as the headquarters of diplomatic or consular representatives or governmental missions of foreign countries;

(ii) the proprietor, manger or other person in charge of a residental establishment, institutional establishment or catering establlishment serving food to consumers or residents in the course of regular business and not in connection with any party, entertainment or social or other function given at the instance of himself or of any other person;

(iii) the distribution of food containing any prohibited foodstuff by way of "bhog" or "prasad" or as part of a recognised religious ceremony, in any temple, mosque, gurdwara, church or other place of religious worship.

4. **Powers of entry, search, seizure, etc:** For the effective enforcement of the provisions of this order, any officer not below the rank of Sub-Inspector of Food and Supplies or a police officer of or above the rank of Assistant Sub-Inspector may, when he has reasons to believe that a contravention of this order has been, is being or is about to be committed, enter and search any premises, interrogate any person and seize any article including their coverings or containers in respect of which he has reason to believe that the contravention has been, is being or is about to be committed.

By order of the Governor,

S. L. BOSE,

Jt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

CLOSED AND SICK INDUSTRIES DEPARTMENT

NOTIFICATION

No. 3167-CSI.—5th September 1974.—In exercise of the power conferred by section 3 of the West Bengal Relief Undertakings (Special Provisions) Act, 1972 (West Ben. Act XIII of 1972), the Governor is pleased hereby to make the following amendment in this department notification No. 546-CSI, dated the 26th September 1972, published at pages 1916a and 1916b of Part I of the "Calcutta Gazette, Extraordinary," dated the 26th September 1972, as subsequently amended (hereinafter referred to as the said notification), namely:

Amendment

In the said notification in the fourth paragraph, for the words and figures "25th day of September, 1974" substitute the words and figures "25th day of September, 1975".

By order of the Governor,
N. RAY,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF AGRICULTURE AND COMMUNITY DEVELOPMENT

M. W. & C.

NOTIFICATIONS

No. 9896-M. W. & C.—4th September 1974.—In pursuance of the provisions of sub-section (3) of section 1 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to appoint the fifteenth day of September, 1974 as the date on which the said Act shall come into force in the areas noted in column (3) of the Table below within the district and subdivisions noted in columns (1) and (2) respectively of the said Table :

The Table

District (1)	Subdivision (2)	Police-station (3)
1. Bankura ..	.. Bankura Sadar ..	.. Bankura, Onda, Barjora, Gangajalghati, Taldangra, Simlapal, Indpur.
2. Bankura ..	.. Bankura Sadar ..	.. Chhatna, Saltora.
3. Bankura ..	.. Vishnupur ..	.. Vishnupur, Joypur.

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9897-M. W. & C.—4th September 1974.—In exercise of the power conferred by sub-section (1) of section 3 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to declare the areas, specified in column (3) of the Table below, to be the market areas within which purchase and sale of agricultural produce or produces as specified against each in column (4) of the said Table shall be regulated :

The Table

District (1)	Subdivision (2)	Market area (3)	Name of the agricultural produce. (4)
1. Bankura ..	.. Bankura Sadar ..	The whole of Bankura Sadar subdivision except Chhatna, Saltora, Mejhia, Khatra, Raipur and Ranibundh police-stations.	Cereals : Rice, Paddy, Vegetables.
2. Bankura ..	.. Bankura Sadar ..	Chhatna and Saltora police-stations. ..	Cereals : Rice, Paddy, Vegetables.
3. Bankura ..	.. Vishnupur ..	.. (1) Vishnupur police-station .. (2) The following Anchals of Joypur Police-station :— Routkhanda, Shyamnagar, Kuchiakot, Jagannathpur, and Salda.	Cereals: Paddy, Rice. Wheat. Vegetables.

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal

No. 9898-M. W. & C.—4th September 1974.—In exercise of the power conferred by clause (i) of sub-section (1) of section 4 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972) the Governor is pleased hereby to declare the areas specified in column (3) of the Table below as principal market yards and the areas specified in column (4) of the said Table as sub market yards for the market areas noted respectively against each of them in column (2) of the said Table :

The Table

District	Market area	Principal Market Yard	Sub market Yard		
			Police station.	Mauza	Jurisdiction list No.
(1)	(2)	(3)	(4)		
1. Bankura ..	The whole of Bankura Sadar Sub division except Chhatna, Saltora, Mejhia, Khatra, Raipur and Ranibundh police-stations.	Mauza- Bekna and Damodbandi, J. L. Nos. 235 and 236 respectively. The land starts from the end of the Co operative Rice Mill, Bankura, on the south and ends at the Chandramohan's Garden on the north, Bankura-Durgapur Road on the east and Bankura-Raiganj Road on the west.	Onda	Tella	147
			Gangajalghati.	Malkora	136
			Barjora	Barjora	16
2. Bankura ..	Chhatna and Saltora police-stations.	Mauza- Enari, J. L. No. 57, police-station Chhatna, C. S. Plot Nos. 76 and 238 The land is bounded by Bankura-Purulia Road on the south and private lands in plot Nos. 658 to 669 on the north, a kancha road towards Susunia on the east and on the west private lands bearing plot Nos. 436 to 470 of the same mauza.	Saltora	Saltora	108
			Chhatna	Jorehura	35
3. Bankura ..	Vishnupur police-station and the following anchals of Joypur police station . Routh-khanda, Shyamnagar, Kuchiakol, Jagannathpur and Salada	Vishnupur Municipal area	Vishnupur	Plot No. 63/134 of Mauza Khari Kasuli, J. L. No. 57 in P. S. Vishnupur.	

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9899-M. W. & C.—4th September 1974 —In exercise of the power conferred by clause (ii) of sub-section (1) of section 4 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to declare the areas specified in column (4) of the Table below as market proper in respect of the principal market yard mentioned against each of them in column (3) of the said Table:

The Table

District	Subdivision	Principal Market Yard	Market proper	
(1)	(2)	(3)	(4)	
1. Bankura ..	Bankura Sadar ..	Mauza—Bekna and Damodvandi, J. L. Nos. 235 and 236. The land starts from the end of the Co-operative Rice Mill, Bankura, on the south and ends at the Chandramohan's Garden on the north, Bankura-Durgapur Road on the east, Bankura-Raniganj Road on the west	Bankura and Gangajalghati police-stations and the following anchals of Onda police-station : Santore, Lodna, Ponisole.	
2. Bankura —	Bankura Sadar ..	Mauza—Enari, J. L. No. 57, police-station Chhatna, C. S. Plot Nos. 76 to 238.	Police-station.	Anchal
			Saltora	Glogra, Kanuri, Saltora.
			Chhatna	Arrah, Chhatna, Ghasergram, Jhunska, Jorehura, Dhaban, Sasamia.
3. Bankura —	Vishnupur ..	Vishnupur Municipal Area ..	.. Vishnupur police-station.	

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9900-M. W. & C.—4th September 1974.—In exercise of the power conferred by section 5 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Bengal Act XXXV of 1972), the Governor is pleased hereby to constitute the market committees as mentioned in column (4) of the Table below in respect of the market area noted against each in column (3) of the said Table:

The Table

District	Subdivision	Market area	Name of the Market Committee
(1)	(2)	(3)	(4)
1. Bankura ..	Bankura Sadar ..	The whole of Bankura subdivision except Chhatna, Saltora, Mejhia, Khatra, Raipur and Ranibundh police-stations.	Bankura Regulated Market Committee.
2. Bankura ..	Bankura Sadar ..	The whole of Chhatna and Saltora police-stations.	Jhantipahari Regulated Market Committee.
3. Bankura ..	Vishnupur ..	(1) Vishnupur police-station .. (2) The following anchals of Joypur police-station: Routhkhanda, Shyamnagar, Kuchiakolo, Jagannathpur and Salda.	Vishnupur Regulated Market Committee.

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9901-M. W. & C.—4th September 1974.—In exercise of the power conferred by section 6 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Bengal Act XXXV of 1972), the Governor is pleased hereby to publish the names of the market committees, mentioned in column (2) of the following Schedule along with names of their respective Chairman, Vice-Chairman and members mentained against each of them in columns (3), (4) and (5) respectively, of the Schedule:

The Schedule

District	Name of the market committee.	Name of Chairman	Name of Vice-Chairman.	Names of members.
(1)	(2)	(3)	(4)	(5)
1. Bankura ..	Bankura Regulated Market Committee.	Subdivisional Officer (North), Bankura.	Shri Amritalal Chatterjee, Chandmaridanga, Post Office and district Bankura.	1. Subdivisional Officer (North), Bankura. 2. District Agricultural Marketing Officer, Bankura. 3. Chairman, Bankura Municipality. 4. Secretary of Wholesale Consumers' Co-operative Society, Bankura. 5. Shri Amrita Lal Chatterjee, Chandmaridanga, P. O. and district Bankura. 6. Shri Chittaranjan Choudhury, son of Shri Probodh Chandra Choudhury, village and P. O. Jagatdalla, Bankura. 7. Shri Lakshminarayan Dutta, village and P. O. Beliatore, district Bankura. 8. Shri Sisir Kumar Ghosh, village Hura, P. O. Makarkole, Bankura. 9. Shri Muralidhar Chattaraj, village and P. O. Dadhimukha, Bankura.
2. Bankura ..	Jhantipahari Regulated Market Committee.	Subdivisional Officer, Bankura Sadar (North) Bankura.	Shri Rohitaswa Pati, Anchal Pradhan, Jamtara (P.S. Chhatna), village Amlatora.	1. Subdivisional Officer, Bankura Sadar (North), Bankura. 2. District Agricultural Marketing Officer, Bankura. 3. Shri Rohitaswa Pati, son of Tripurari Pati, Anchal Pradhan, Jamtara (police-station Chhatna), villagee Amlatora, P. O. Montumra, Bankura. 4. Secretary Jhantipahari Multipurpose Co-operative Society. 5. Shri Kalipada Kundu, B. A., son of Late Jagat Kundu, village and Post Office Jhantiphari, Bankura. 6. Shri Dulal Mondal, son of Late Kargal Mondal, village and P. O. Dhaban, police-station Chhatna, Bankura.

(1)	(2)	(3)	(4)	(5)
				7. Shri Santimoy Kundu, son of Shri Baranashi Kundu, village Katnapahari, P. O. Hatgram, Bankura. 8. Shri Prankrishna Chatterjee, village and P. O. Jorehira, Bankura. 9. Shri Bhunath Acharja, son of Late Mahananda Acharja, village and P. O. Tiluri, P. S. Saltora, Bankura.
3. Bankura ..	Vishnupur Regulated Market Committee.	Subdivisional Officer, Vishnupur, district Bankura.	Chairman, Vishnupur Municipality, district Bankura.	1. Subdivisional Officer, Vishnupur, district Bankura. 2. District Agricultural Marketing Officer, Bankura. 3. Secretary, Vishnupur Thana Primary Large Sized Co-operative Agricultural Marketing Society Ltd., P. O. Vishnupur, district Bankura. 4. Chairman, Vishnupur Municipality, district Bankura. 5. Shri Durga Prasad Nandi, village and P. O. Bankadoha, district Bankura. 6. Shri Manmatha Nath Chakravorty, son of Late Kshudiram Chakravorty, village and P. O. Shyamnagar, district Bankura. 7. Shri Debidas Mitra, son of Shri Pramathanath Mitra, Rasikganj, P. O. Vishnupur, district Baukura. 8. Shri Bankim Chandra Sen, son of Late Haralal Sen, village and P. O. Joypur, district Bankura. 9. Shri Shyamadas Biswas, son of Late Nagendra Nath Biswas, village Radhanagar, P. O. Bon-Radhanagar, district Bankura.

By order of the Governor,

P. GHOSAL,

Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

ORDER

No. 7192-P.—2nd September 1974.—Whereas as respects the places described in serial Nos. (1) and (2) of the schedule below (hereinafter referred to as the said places), the Governor considers it necessary and expedient in the public interest as also in the interest of the safety and security of the said places that special precautions should be taken to prevent the entry of unauthorised persons therein;

Now, therefore, in exercise of the power conferred by sub-sections (1) and (2) of section 6 of the West Bengal Maintenance of Public Order Act, 1972 (West Ben. Act IX of 1972), the Governor is pleased hereby—

(a) to declare the said places to be protected places, and

(b) to authorise the officers specified in serial No. (3) of the said schedule to grant the permission referred to in sub-section (2) of the said section in respect of the said places.

Schedule

(1) Name of places—The factory premises of the Fertilizer Corporation of India Ltd., police-station Sutahata, Haldia, district Midnapore.

(2) Particulars of the boundaries of the places—North—Calcutta Port Commissioners' Road; east—Irrigation bundh/Approach Road towards Patikhali ramp; south—Irrigation bundh on the bank of river Hooghly; west—Indian Oil Corporations boundary area.

(3) Person authorised to grant permission—(i) General Manager, (ii) Deputy General Manager, (iii) Chief Engineer, (iv) Administrative Officer of the F.C.I., (v) Officer-in-charge, C.I.S.F., Haldia site.

By order of the Governor,
[ILLEGIBLE],

Jt. Secy. to the Govt. of West Bengal.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 19794F.S./FS/14R-18/74.—7th Setember 1974.—Whereas the Governor is of opinion that it is necessary and expedient so to do for maintaining supplies of foodgrains and securing their equitable distribution and availability at fair prices in the State of West Bengal;

Now, therefore, in exercise of the powers conferred by rule 114 of the Defence of India Rules, 1971, the Governor is pleased herebv to make, the following Order, namely—

1. Short title, extent and commencement.—(1) This Order may be called the West Bengal Foodgrains (Requisitioning) Order, 1974.

(2) It extends to the whole of West Bengal.

(3) It shall come into force at once.

(4) It shall expire on such date not later than the 31st December 1974 as may be notified by the State Government in the *Official Gazette,* but its expiry shall not affect its operation as respects things previously done or omitted to be done.

2. Definitions.—In this order, unless the context otherwise requires,—

(a) "consumer" means a person who purchases foodgrains for consumption by himself and the members of his family and includes an institution or establishment which purchases foodgrains for consumption by its members, customers and staff;

(b) "family" includes servants living in the same mess and, in the case of an institution or establishment, all its members, customers and staff;

(c) "foodgrains" means rice or paddy;

(d) "institution" and "establishment" have the same meanings as in the West Bengal Rationing Order, 1964;

(e) "paddy" means rice in the husk;

(f) "procurement agent" means a person who has entered into an agreement with the State Government for purchase, sale or storage of foodgrains on behalf of the State Government and includes the Food Corporation of India, established under the Food Corporations Act, 1964 (37 of 1964), acting through its officers and agents as an agent of the State Government for the purposes of this order;

(g) "procurement price" has the same meaning as in the West Bengal Foodgrains Procurement (Levy) Order, 1973;

(h) "producer" means a person who in any capacity grows paddy or causes paddy to be grown on land;

(i) "requiring authority" means the Block Development Officer, Joint Block Development Officer, District Controller of Food and Supplies, Assistant District Controller of Food and Supplies, Subdivisional Controller of Food and Supplies in their respective jurisdictions and includes such other officer not below the rank of Inspector in the Department of Food and Supplies of the State Government as may be appointed by the State Government, by notification in the *Official Gazette*, to perform the functions of the requiring authority under this order;

(j) "rice" means rice imported into, or produced out of paddy, in West Bengal and includes broken rice, but does not include *chira, muri* or *khoi*.

3. Power of the requiring authority to call for accounts and information.—Every person holding in stock any foodgrains shall, when called upon to do so by the requiring authority by an order in writing, furnish—

(a) a true account of such foodgrains, and

(b) information regarding the production, storage, acquisition, use or consumption of such foodgrains in such manner and within such period as may be specified in the order and a person, when so called upon, shall not, unless permitted by the requiring authority, sell or otherwise dispose of such foodgrains or any part thereof.

4. Power of the requiring authority to direct sale.—(1) Subject to the provisions of sub-paragraph (3), the requiring authority may, by an order in writing, direct any person, holding in stock any foodgrains, to sell at the procurement price such quantity of such foodgrains to such person or such procurement agent or such officer of the State Government and within such period, as may be specified in the order.

(2) Every such order shall specify the following particulars, namely:—

(a) the quantity, class and grade of foodgrains held in stock by such person;

(b) the quantity, in respect of which exemption is granted to such person, under the provisions of sub-paragraph (3);

(c) the quantity, class and grade of foodgrains required to be sold by such person; and

(d) the period within which the foodgrains, directed to be sold by such person, are to be delivered.

(3) A producer or consumer mentioned in column 1 of the Table below shall, for all or any of the purposes mentioned in column 2 of the Table, be entitled to hold in stock the quantity of foodgrains calculated according to the scale mentioned in the corresponding entries in column 3 or column 4, as the case may be, of the table and the requiring authority shall exempt such producer or cosumer from selling such quantity of foodgrains.

Table.

Category.	Purpose.	Scale for areas where the West Bengal Rationing Order, 1964, is not in force.	Scale for areas where the West Bengal Rationing Order, 1964, is in force.
(1)	(2)	(3)	(4)
a producer	(i) For consumption by the members of his family.	120 kilograms of paddy per member (adult or child).	Annual cereal quota calculated according to the provisions for the time being in force of the West Bengal Rationing Order, 1964, and the Regulations made thereunder.
	(ii) For all purposes excepting that in item (1) above.	85 killograms of paddy per acre of paddy land held by him and cultivated in the year 1974.	85 killograms of paddy per acre of paddy land held by him and cultivated in the year 1974.
(b) Consumer other than an establishment or institution.	For consumption by the members of his family.	187 kilograms of rice per family at any time.	20 kilograms of rice per member of or above the age of 8 years and 10 kilograms of rice per member below the age of 8 years at any time.
(c) Consumer being an establishment or institution.	For consumption by its members/ stuff/ customers.	3,730 kilograms of rice at any time.	3,730 kilograms of rice at any time.

Note 1.—When land is cultivated by a *bargadar*, exemption for purposes other than consumption by the members of the family, shall be allowed either to the owner of the land or to the *bargadar*, according as services are provided by the owner or the *bargadar*.

Note 2.—One kilogram of rice shall be taken as equivalent to 1.5 kilograms of paddy.

5. Powers of entry, search, seizure, etc.—The requiring authority or any officer of the Department of Food and Supplies, Government of West Bengal not below the rank of Sub-Inspector, or any police officer not below the rank of Assistant Sub-Inspector, or any other officer authorised by the State Government in this behalf, may, with a view to securing compliance with the provisions of this order or to satisfying himself that the provisions of this order have been complied with,—

(a) inspect or cause to be inspected any book of account or accounts as well as any stock of foodgrains belonging to or under the control of any person,

(b) require any person to give any information in his possession in respect to any foodgrains,

(c) stop and search forthwith, with such aid or assistance as may be necessary, any person or vehicle or vessel or animal, used or suspected of being used for delivery of foodgrains from any premises where he has reason to believe that foodgrains are stored,

(d) enter and search, with such aid or assistance as may be necessary, any such premises,

(e) seize and remove, with such aid or assistance as may be necessary, any stock of foodgrains along with the packages, covering or receptacles in which such stock is found, and the animals, vehicles or

vessels used in carying such stock, if he has reason to suspect that any provision of this order has been, is being or is about to be, contravened in respect of such stock or any part thereof or in respect of any other stock of foodgrains which, immediately before the contravention, was stored along with such stock, and thereafter take or authorise the taking of all measures necessary for securing the production of the stocks of foodgrains, packages, coverings, receptacles, animals, vehicles or vessels, so seized, before a Magistrate and for their safe custody pending such production.

6. Savings.—Nothing in this order shall apply to foodgrains held in stock by or on behalf of or on account of or on the authority of the Central Government or the State Government or the Food Corporation of India.

By order of the Governor,

S. B. RAY,

Secy to the Govt. of West Bengal.

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PART I -Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 19821/F.S./FS/14R-18/74.—9th September 1974.—In exercise of the power conferred by clause (1) of paragraph 2 of the West Bengal Foodgrains (Requisitioning) Order, 1974, published with this Department Order No. 19794-F.S./FS/14R-18/74, dated the 7th September 1974, in the "Calcutta Gazette, Extraordinary", dated the 7th September 1974, the Governor is pleased hereby to appoint the officers of the Government of West Bengal mentioned in the Schedule below to perform the functions of the requiring authority under the said Order within their respective jurisdictions, namely:—

The Schedule

A. Officers under the Department of Agriculture and Community Development—

(1) All Agricultural Extension Officers.

(2) All Extension Officers, Panchayats.

(3) All Extension Officers, Industries.

(4) All Extension Officers, Social Education.

(5) All Assistant Agricultural Extension Officers.

(6) All Co-operative Inspectors.

B. Officers under the Department of Land Utilisation and Reforms and Land and Land Revenue—

(1) All Land Reforms Officers.

(2) All Junior Land Reforms Officers.

(3) All Revenue Officers.

(4) All Kanungos.

C. Officers under the Department of Food and Supplies—

(1) The Director of District Distribution, Procurement and Supply.

(2) All Deputy Directors of District Distribution, Procurement and Supply.

(3) All Assistant Directors of District Distribution, Procurement and Supply.

(4) All Deputy Assistant Directors of District Distribution, Procurement and Supply.

(5) All Deputy Controllers of Rationing.

(6) All Special Officers of Rationing.

(7) All Rationing Officers.

(8) All Chief Inspectors of Food and Supplies.

(9) All Inspectors of Food and Supplies.

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

CLOSED AND SICK INDUSTRIES DEPARTMENT

NOTIFICATION

No. 3221CSI.—9th September 1974.—Whereas by Closed and Sick Industries Department notification No. 2463CSI, dated the 5th July 1974, the persons specified in the schedule below (hereinafter referred to as the said persons) were appointed Directors of the West Bengal State Textile Corporation Limited (hereinafter referred to as the said Corporation);

And whereas the term of office of the said persons as Directors of the said Corporation will expire on the 10th day of September 1974 (i.e. the day fixed for the 1st Annual General Meeting), in terms of clause (d) of article 103 of the Articles of Association of the said Corporation;

And whereas the said persons are eligible for reappointment as Directors of the said Corporation;

Now, therefore, in exercise of the power conferred by clause(a) read with clause (c) of article 103 of the Articles of Association of the said Corporation, the Governor is pleased to appoint the said persons as Directors of the said Corporation on their retirement at the said Annual General Meeting.

The Schedule

(1) Shri A. K. Mukerji, IAS, Special Officer and ex officio Commissioner, Finance Department, Writers' Buildings, Calcutta.

(2) Shri B. C Mukherjee, IAS, Commissioner for Cottage and Small Scale Industries, Writers' Buildings, Calcutta.

(3) Shri J. C. Jetli, IAS, Director, National Textile Corporation Ltd., 8th floor, Surya Kiran Buildings, 19 Kasturba Gandhi Marg, New Delhi-1.

(4) Shri Durgaprasad Chakraborty, "Amar Bhawan", P-10 New Howrah Bridge Approach Road, 2nd floor, Southern Block, Calcutta-1.

(5) Shri Bishnu Banerjee, President, West Bengal Pradesh National Trade Union Congress, "Shramik Bhawan", 177B Acharya Jagadish Chandra Bose Road, Calcutta-14.

By order of the Governor,
N. RAY,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

ORDER

No. 4571/MIM-49/72Pt.III—7th September 1974. —In exercise of the power conferred by clause (bb) of sub-section (1) of section 554 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial modification of Government order No. 3238/MIM-49/72Pt.III, dated the 2nd July 1974, the Governor is pleased to direct that all the powers and duties which may, under the provisions of the said Act or any other Act or any ordinance or any regulation or any rule, bye-law, order, notification or subsidiary legislation made under the provisions of the said Act or such other Act or such ordinance or such regulation, be exercised and performed by the Chairman and by the Commissioners, whether at a meeting or otherwise, of the Bally Municipality who have been superseded for the period up to 31st March 1975 by Government notification No. 3238/MIM-49/72/Pt.III, dated the 2nd July 1974, shall be exercised and performed by Shri Anil Chandra Bhattacharyee, West Bengal Civil Service (retd.), for a further period of six months with effect from 14th September 1974 or until further order whichever is eariler.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

CORRIGENDUM

No. 4562/MIM-95/74.—7th September 1974.—In this department notification No. 4388/MIM-95/74, dated the 22nd August 1974, relating to appointment of Administrator in the Arambagh Municipality for the name "Shri S. C. Boral, WBCS, S.D.O., Arambagh "read" Shri S. P. Boral WBCS, S.D.O.,Arambagh".

By order of the Governor,

T. N. DE,

Asstt. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

IRRIGATION AND WATERWAYS DEPARTMENT

NOTIFICATION

No. 16-I.—7th September 1974.—Whereas the Governor is of opinion that lands in the area included within the boundaries specified in Part II of the Schedule below (hereinafter referred to as the said area) have been benefited or are likely to be benefited by irrigation during the Kharif season by the water supplied from the irrigation work, namely, the Saharajore Irrigation Scheme in the district of Purulia, the full description whereof is stated in Part I of the Schedule below;

And whereas an Ordinance, namely, the West Bengal Irrigation (Imposition of Water Rate) Ordinance, 1974 (West Ben. Ord. No. VII of 1974) (hereinafter referred to as the said Ordinance), providing for a simplified procedure for imposition, assessment and collection of water rates in respect of lands benefited or likely to be benefited by irrigation during different cultivation seasons by water supplied from any irrigation work has since been promulgated by the Governor;

Now, therefore, in exercise of the power conferred by section 4 read with sub-section (1) of section 5 of the said Ordinance, and in supersession of all orders made under the Bengal Irrigation Act, 1876 (Ben. Act III of 1876), determining the rates to be charged for canal water supplied for purposes of irrigation of any land in the said area, the Governor is pleased hereby to declare its intention to impose with effect from 1st day of July 1974 in the said area a water rate for Kharif season every year.

Any person interested in any land likely to be affected by such imposition of the water rate may, within a period of thirty days from the date of publication of this notification in the "Calcutta Gazette", prefer objection to the State Government against the intended imposition of the water rate or inclusion of such land in the said area.

THE SCHEDULE

Part I—Description of the Irrigation Work

The present canal system of a total length of 18,635 metres (11 miles 3,060 feet) consists of—

(a) 2,134 metres (7,000′) of Saharajore Main Canal (hereinafter described as S.J.M.C.) starting from south-west corner of the command area of Saharajore Irrigation Scheme, off-taking from the reservoir direct through a head-regulator in mouza Lakhipur (jurisdiction list No. 119), police-station Jhalda, up to chainage 2,134 m. the position of a pipe fell in mouza Upargugai (jurisdiction list No. 123), police-station Arsa. Beyond 2,134 m. the supply of irrigation water will be effected after the cross-drainage structures beyond chainage 2,134 m. are constructed and the excavation of the main canal beyond chainage 5,486 m. (chainage 180.00) is done (up till now the main canal is excavated up to chainage 5,486 m. and structures are made through beyond chainage 2,134 m.).

(b) A distributary (hereinafter described as Distributary No. 1) of S.J.M.C., its '0' chainage being at chainage 1,173 m. (chainage 38.50) of Saharajore Main Canal, the off-take pt.

of Distributary No. 1 in mouza Murguma (jurisdiction list No. 120), police-station Jhalda, follows the right bank of the river Saharajore towards its downstream side up to a total length of 8,330 m. (27,330′) ending at its chainage 8,330 m. (chainage 273.30) in mouza Rampur (jurisdiction list No. 248), police-station Jhalda.

The initial 183 m. (600′) of Distributary 1, i.e., from chainage 0 to chainage 183 m., in mouza Murguma (jurisdiction list No. 120), police-station Jhalda, is being termed as Branch Canal.

(c) A distributary No. 2 of Saharajore Main Canal from the end pt. of Branch Canal at its chainage 183 m. in mouza Murguma (jurisdiction list No. 120), police-station Jhalda of 8,169 metres (26,800′) length follows the right bank of Distributary No. 1 towards its downstream side ending at chainage 8,169 m. (chainage 268.00) in mouza Nagra (jurisdiction list No. 128), police-station Arsa.

Part II—Boundaries of the area

The boundary line starts from chainage 671 m. (chainage 22.00) of Saharajore Irrigation Main Canal, south-west corner of the command in mouza Murguma, (jurisdiction list No. 120), police-station Jhalda and follows northward parallel to Distributary No. 1 along its left bank and almost touching Saharajore river and through mouzas Murguma, Brindabanpur, Supurdih, Begunkodor, Raghunathpur, Tigra and Rampur, and runs rightwards near the confluence of Saharajore and Kansai rivers and along the right bank of Kansai river, to continue thus up to the pt. where Gugui Nala (also called Goura Nadi), thereafter turns southwards along the said Goura Nadi, as far as the Saharajore Main Canal, through mouzas Nugra, Gundlugora, Kulaghata, Ulugoria, Balia, Hetgugui and Upargugui and turns again towards east and follows the main canal along its right bank up to chainage 671 m. (chainage 22.00, the starting pt.) through mouzas Upurgugui and Murguma.

By order of the Governor,
S. K. MOITRA,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

HOWRAH. — No. 18738-L.A.(P.W)/1M-95/74. —10th September 1974.—Whereas .1659 hectare (.4092 acre), more or less, of land situate in or near the village, of Golabari, described below, has been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for transport and communication, namely, for extension and improvement of the traffic condition near Howrah Station;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Ben. Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Collector, Howrah.

Description of the land

Village Golabari, jurisdiction list No. 1, police-station Golabari, district Howrah.

SHEET No. 44

Eastern portion of revisional survey plot No. 80—(Hectare .0055), (Acre 0.0137).

SHEET No. 50

Revisional survey plot in full—14.

Eastern portion of revisional survey plot Nos. 7 and 8—(Hectare .0920), (Acre 0.2270), (Hectare .0649), (Acre 0.1602), respectively.

By order of the Governor,
S. GHOSH,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

DECLARATIONS

CALCUTTA. — No. 18630-L.A.(II)/2R-27/72Part (II).—7th September 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by notification No 20/1/55 Judl. (1), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affars, under clause (1) of Article 258 of the Constitution of India, as S.R.O. 1074 and published at page 868, Part II, Section 3 of the "Gazette of India", dated 21st May 1955;

And whereas the Governor is satisfied that land is needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby declared that a piece of land comprising premises No. 100A, Shyama Prosad Mukherjee Road, described below and measuring, more of less, .1046 of a hectare (.2586 of an acre) is needed for the aforesaid public purpose at the public expense within the Ward No. 75 of Calcutta Municipality in the city of Calcutta:

SCHEDULE

Ward No. 75

Name of Road/Street, Lane and Premises No.—100A Shyama Prosad Mukherjee Road and bounded on the north by premises Nos. 98 Shyama Prosad Mukherjee Road and 47 and 48 Kalidas Patitundi Lane, east by Shyama Prosad Mukherjee Road, south by 102 Shyama Prosad Mukherjee Road (Basusree Cinema House), west by 5 Sadananda Road (Kalika Cinema House).

Description of specific portion to be acquired—Full.

Area—.1046 hectare (.2586 acre).

This declaration is made under the provisions of section 6 of Act I of 1894 read with the said notification to all whom it may concern.

A plan of the land may be inspected in the Office of the First Land Acquisition Collector, Calcutta, at No. 45, Princep Street (45 Biplabi Anukul Chandra Street), Calcutta.

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

CALCUTTA. — No. 18672-L.A.(II)/2R-24/72. — 9th September 1974.—Whereas the functions of the Central Government under the Land Acquisition Act, 1894 (Act I of 1894), in relation to the acquisition of land for the purpose of the Union have been entrusted to the State Government by Notification No. 20/1/55 Judl. (1), dated 14th May 1955, issued by the Government of India in the Ministry of Home Affairs, under clause (1) of article 258 of the Constitution of India, as S.R.O. 1074 and published at page 868, Part II, Section 3 of the "Gazette of India", dated 21st May 1955;

And whereas the Governor is satisfied that land is needed for a public purpose, namely, for the construction of Mass Rapid Transit System and other connected works relating to the said system from Dum Dum to Tollygunge in the city of Calcutta, it is hereby declared that pieces of land comprising premises Nos. 29 and 98, Ashutosh Mukherjee Road, and 1, Mohini Mohan Road, described in the schedule below and altogether measuring, more or less, 0.0891 of a hectare (0.2201 of an acre), are needed for the aforesaid public purpose at the public expense within the Ward Nos. 73 and 75 of the Calcutta Municipality in the city of Calcutta:

SCHEDULE

Block I, Ward No. 73

Name of Road/Street, etc. and Premises No.— 1, Mohini Mohan Road and 29, Ashutosh Mukherjee Road and bounded on the north by Premises No. 25, Ashutosh Mukherjee Road, east by Premises No. 3, Mohini Mohan Road, south by Mohini Mohan Road and west by Ashutosh Mukherjee Road.

Specific portion to be acquired— Full.

Area—.0249 hectare, (.0615 acre) and .0177 hectare (.0437 acre), respectively.

Block II, Ward No. 75

Name of Road/Street, etc. and Premises No.— 98, Ashutosh Mukherjee Road, and bounded on the north by Premises No. 96B, Ashutosh Mukherjee Road, east by Ashutosh Mukherjee Road, south by Calcutta Corporation Road and west by Premises No. 100A, Ashutosh Mukherjee Road.

Specific portion to be acquired— Full.

Area—.0465 hectare (.1149 acre).

This declaration is made under the provisions of section 6 of Act I of 1894 read with the said notification to all whom it may concern.

A plan of the land may be inspected in the Office of the First Land Acquisition Collector, Calcutta at No. 45, Princep Street, (45 Biplabi Anukul Chandra Street), Calcutta.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio)
to the Govt. of West Bengal.

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PART I Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4575/M/3L-15/74.—7th September 1974.—In exercise of the powers conferred by sub-section (2) and (3) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), and in partial modification of notification No. 4092/M2A-24/72, dated the 23rd July 1974, the Governor is pleased to appoint Shri A. K. Dutta, WBJCS, now employed as the Executive Officer of the Barrackpore Municipality, to be the Executive Officer of the North Dum Dum Municipality in the district of 24-Parganas (North), in addition to his own duties, with effect from the date he takes over charge as Executive Officer of the North Dum Dum Municipality, vice Shri Amulya Kumar Roy, Special Officer, Grade II and Executive Officer, North Dum Dum Municipality, proceeding on leave on and from the 9th September 1974, and to confer on him all the powers of the Chairman and the Commissioners under the Act, whether exercisable at a meeting or otherwise.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Constitution and Elections

NOTIFICATIONS

No. 1044-A.R.—10th September 1974.—The following document is published for general information :—

"By virtue of the power vested in me by Articles 155 and 160 of the Constitution of India, I, Fakhruddin Ali Ahmed, President of India, hereby appoint Shri Justice Sankar Prasad Mitra, Chief Justice of the Calcutta High Court, to discharge the functions of the Governor of West Bengal, during the absence on leave of Shri Anthony Lancelot Dias.

Given at Rashtrapati Bhavan, New Delhi, this fourth day of September in the year one thousand nine hundred and seventy-four (13th Bhadra 1896 Saka), in the twenty-fifth year of the Republic of India.

President of India."

By order of the Governor,
B. R. GUPTA,
Chief Secy. to the Govt. of West Bengal.

Registered No. WB/SC-56 No. 5226(1)

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPUR.—No. 18780 L. A. (P. W.)/1E-372/74.—10th September 1974.—Whereas ·53156 hectare (1·3125 acres) more or less, of land situated in or near the villages of Koptipur and Rautrabari described below has been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for resuscitation of river Kaliaghai and its tributaries;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Midnapore.

Description of the land

Mauza Koptipur, jurisdiction list No. 324, police-station Sabang, district Midnapore.

Plot in full—230.

Plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
225	Southern	·06	·2430
227	Trangular strip on middle	·04	·1620
228	Middle	·01	·0405
236	Middle	·19	·7695
289	Middle	·42	1·7010
295	Western	01	·0405
229/562	Northern ..	225	·0911
229/563	Northern ..	02	·0810
239	Trangular strip on the middle.	·03	·1215

Mauza Rautrabari, jurisdiction list No. 326, police-station Sabang, district Midnapore.

Plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
109	Southern	·04	·1620
110	Southern	·10	·4050
278/1246	Northern ..	·16	·6480

By order of the Governor,

S. GHOSH,

Dy. Secy to the Govt. of

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 5996-F.T.—11th September 1974.—The following draft of an amendment which, in exercise of the power conferred by section 23 of the West Bengal Taxes on Entry of Goods in Local Areas Act, 1962 (West Ben. Act XX of 1962), the Governor proposes to make in the West Bengal Taxes on Entry of Goods in Local Areas Rules, 1955, as subsequently amended (hereinafter referred to as the said rules), is hereby published, as required by sub-section (1) of the said section, for the information of persons likely to be affected thereby.

The draft will be taken into consideration on or after the 17th September 1974, and any objection or suggestion with respect thereto, which may be received by the undersigned before that date, will be duly considered.

Draft amendment

In rule 7 of the said rules,—

(1) in sub-rule (1), for the words "on the entry of tea", substitute the words "on the entry of tea or jute",

(2) after sub-rule (1), insert the following proviso :—

"Provided that where any dealer causing entry of tea or jute within the local areas make representation in this behalf to the prescribed authority, and the prescribed authority is satisfied that the measure will safeguard revenue, he may allow such dealer to pay the taxes payable under the Act in respect of the consignments of tea or jute, in cash to the appropriate Commercial Tax Officer or appropriate Inspector who shall grant a receipt for the amount paid and every such payment shall be accompanied by a challan in duplicate as mentioned in this sub-rule.".

By order of the Governor,
N. P. BAGCHI,
Dy. Secy. to the Govt. of West Bengal.

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PART IC—Awards by Industrial Tribunal and Consumer Price Index

GOVERNMENT OF WEST BENGAL

LABOUR DEPARTMENT

ORDERS

No. 5814-I.R./IR/10L-308/71.—14th August 1974.—Whereas under the Government of West Bengal, Labour Department, order No. 6962-I.R./IR/10L-327/69, dated the 11th September 1969, the industrial dispute between Messrs. the Braithwaite Burn & Jessop Construction Co. Ltd., Heavy Plant Yard & Plant Repair Shop, Taratolla Road, Calcutta-24 and their workman Shri S. Das Gupta, 1/57 Vebeknagar Colony, Jadavpore, Calcutta-32, regarding the issue mentioned in the said order being a matter specified in the Second Schedule to the Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the Third Industrial Tribunal;

And whereas the said Third Industrial Tribunal has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute existing between Messrs. The Braithwaite Burn & Jessop Construction Co. Ltd., Heavy Plant Yard & Plant Repair Shop, Taratolla Road, Calcutta-24 and their workman Shri S. Das Gupta, 1/57 Vibeknagar Colony, Jadavpur, Calcutta-32, as referred to this Tribunal under G. O. No. 6962-I.R./IR/10L-327/69, dated 11th September 1969. (Case No. VIII-343/69.)

BEFORE THE THIRD INDUSTRIAL TRIBUNAL, WEST BENGAL

Present:

Shri S. K. MITRA, Judge,
Third Industrial Tribunal.

Appearance:

For the Company: Shri D. K. Ghosh, Legal Adviser, A.I.E.I.

For the Workman: Shri P. P. Pathak.

AWARD

The Labour Department, Government of West Bengal, referred an industrial dispute existing between Messrs. The Braithwaite Burn & Jessop Construction Co. Ltd., Heavy Plant Yard & Plant Repair Shop, Taratolla Road, Calcutta-24 and their workman Shri S. Das Gupta, 1/57 Vibeknagar Colony, Jadavpur, Calcutta-32, to this Tribunal by its order No. 6962-I.R., dated 11th September 1969, for adjudication upon the matter under section 10 read with section 2A of the Industrial Disputes Act, on the following issue:

Issue

Whether the termination of service of Shri S. Das Gupta is justified? What relief, if any, is he entitled to?

This is a reference under section 10 read with section 2A of the Industrial Disputes Act, dated 11th September 1969, of an existing industrial

dispute between Messrs. The Braithwaite Burn & Jessop Construction Co. Ltd., Heavy Plant Yard & Plant Repair Shop and their workman Shri S. Das Gupta. The dispute relates to the termination of service of the said workman and his right to the relief arising therefrom. The reference was received in this office on 13th September 1969. After usual notices the parties filed their written statements and lists of documents.

The workman's case as stated in his written statement is briefly as follows:

The workman had been working in this Company in its Heavy Plant Yard and Plant Repair Shop in the capacity of an accounts Clerk-cum-Cashier. He had to maintain cash balance and accounts, apart from his duties as a clerk. When he was put in service for a period of one year and five months, he was served with a transfer order transferring him to the United Bank Building Site in Calcutta. He worked there up to 30th August 1967. Thus, having in his credit a continuous period of service with the Company on and from 27th November 1965 to 30th August 1967. We submitted an appeal by his letter, dated 20th August 1967, claiming permanency of his service. But the Company being actuated with ill motive and to victimise him, tried to establish that his service with the Company was extended by mutual consent from time to time. He denies that he ever approached the Company or the Company ever wrote to him extending his period of service or that he ever accepted in an unqualified way such extension of service. Obeying of the transfer order could not by itself constitute any extension of service. Any extension of service was to have been made in the form of a letter from the Company offering the extension and the workman's unqualified acceptance thereof. The workman worked efficiently to the entire satisfaction of his superiors and as such his claim for inclusion of his name in the permanent cadre is justified. He claims also permanency by operation of law in consonance with the spirit of the standing orders of the Company. But on 1st September 1967, when he went to join his usual duty, he found to his utter surprise that the Company refused to give him employment. He has thereby been victimised by the unjust and unfair labour practice of the Company. Saying so, he prays for reinstatement with full back wages, compensation, costs, etc.

The case of the Company in their written statement, on the other hand, is briefly as follows:

The workman was appointed as a temporary clerk in the Heavy Plant Yard and Repair Shop for a specific period of 2½ months from 27th November 1965. It is not correct to say that he worked in the capacity of an accounts Clerk-cum-Cashier. The workman approached the Company from time to time for extension of his services and the same were granted by the Company in good faith. The workman tried to make capital of the non-issuance of letters in confirmation of such extensions of service granted to him.

The concept of automatic confirmation is a lien to Industrial Law. The services of the workman were terminated simpliciter. They denied that by granting the workman a short period of extension it was intended to prove that the workman's service was temporary or that the same was intended to victimise him after extension period They deny that they have any standing order. Lastly, they say that the services of the workman came to an end on the expiry of the period limited by and under the Company's letter, dated 1st June 1967 and that the Company acted bona fide in respect thereof. Saying so, they pray for giving an award in their favour.

In this case only the workman has deposed from his side. From the side of the Company two witnesses have deposed, one, an Accountant of Messrs. Ballardie Thompson (P) Ltd., and the other, Shri Sailendra Nath Dasgupta, Plant Engineer of the Company in reference, under whom this workman worked. A number of documents have also been exhibited from both sides.

The certificate Ext. A shows that the workman was originally appointed in October, 1951 as an accounts clerk and that the management reluctantly terminated his services, which were always found to be satisfactory, with effect from 5th June 1954 due to completion of their work. His relevant appointment is on the basis of the letter, dated 9th December 1965, Ext. 1. It says that he was appointed as a clerk temporarily in the Heavy Plant Yard and Plant Repair Shop of the Company from 27th November 1965 for a period of 2½ months ending on 10th February 1966 and that his services would be automatically terminated on the above expiry date, unless it is extended by mutual agreement on or before the aforementioned date of expiry and that any extension should be in the form of a letter from the Company offering extension and the workman's unqualified acceptance of the same. Finally it is stated that no other advance notice of any kind thereof would be given on or before the date of expiry above and also that the services can be terminated without notice even before the date of expiry, if circumstances so arise.

The workman says that there was no extension of service by mutual oral consent even, and not to speak of extension by any written letter, and that as such he continued without any term so as to acquire permanency by operation of law, i. e., according to the provision of the Standing Orders. The Company on the other hand contends that as the workman wanted to stay in Calcutta for some time, he was accordingly allowed to continue by extending the service on mutual consent from time to time and that he never acquired any permanency. The Company stated in their written statement that there were no Standing Orders. They, howver, stated before the Court in answer to the affidavit of the workman on 29th June 1970 that they would not rely upon the Standing Orders I accordingly called for the Standing Orders after closing of the case on petition from the side of the workman. I have persued the Standing Orders in question. It appears that the said Standing Order has no application

to the case of this workman because section 2 thereof clearly says that the subordinate and clerical staff, to which latter category the present workman belongs, working in the site will be excluded from the operation of the said Standing Orders. Moreover, the Standing Orders do not appear to contain any provision as to how a temporary workman, who is no doubt also a regular workman according to the Standing Order can acquire permanency. The workman did not also call for the service rules which were mentioned in the original letter of appointment. Therefore, there is no escape from the conclusion that the workman has failed to prove that by operation of law he acquired permanency. There is also no evidence that the act and conduct of the employer support any such claim. Of course, that is not the point directly at issue in this case. That question comes in only for the purpose of seeing whether the management was actuated by any mala fide motive in giving him the last written appointment by way of further extension for the period from 1st June 1967 to 30th August 1967 (vide Ext. B). The workman received this letter on 5th June 1967, the very date of this letter, but without making any note of protest. He lodged protest for the first time on 23rd August 1967, i.e. only three days before expiry of the term (vide Ext. 2(d) and the relevant statement of the workman). He however claimed permanency on 20th May 1967. Against that background and in the face of his unqualified acceptance of the fresh written appointment (by way of further extension clearly noted therein) the conclusion is inescapable that there had been mutual oral extensions of his service in the meantime also and that he was a temporary workman, not having acquired permanency, and that he set up the claim of permanency only by taking advantage of the fact that there was no extension by any letter as envisaged in the first appointment. The protest made on 28th August 1974 is undoubtedly only the result of an afterthought, based on the same fact. This new contract, besides indicating the true character of his employment, also put an end to all his previous contract or contracts, whatever its or their nature might have been. There is also nothing in the way of the employer's entering into this new written contract even if the story of oral extensions from time to time after 12th February 1966 is not believable. I find no reason to reject the contention of the Plant Engineer that the workman was taken in after expiry of the first term only for sometime to accomodate him in his difficulties, i.e., absolutely temporarily, though not for a definite term this time. It does not therefore become reemployment without any term. Now the employer was fully within their rights to impose a definite written term after that. The reason might have been to put an end to his unjust and unfounded claim of permanency. The employer was however within their rights to ignore and reject the same. No inference of mala fides and victimisation can be made therefrom. So the last contract being there, the workman cannot escape the consequence thereof. By this new contract his services were to come to an end automatically with the expiry of the month of August, 1967. The employer has characterised this termination of service as termination simpliciter. Call it termination simpliciter or discharge simpliciter, I fail to see the existence of any mala-fides or ill motive for victimisation or of unfair labour practice behind it. It is not a dismissal for misconduct. It was not at all punitive in nature. I, therefore, reject the workman's contention that when he was refused employment after expiry of this term, the employer did that by way of victimisation and in a mala fide way.

So, considering the above, I come to the conclusion that termination of the services of the workman concerned is justified and that he is not entitled to any relief.

This is my award and this disposes of the reference.

Dictated and corrected by me.

S. K. MITRA,
Judge.

S. K. MITRA, Judge,
Third Industrial Tribunal.
30-7-1974.

By order of the Governor,
N. R. SIRCAR. Asstt. Secy.

No. 5801-I.R./IR/10L-60/74.—14th August, 1974.--Whereas under the Government of West Bengal, Labour Department, order No. 4028-I.R./IR/10L-60/74, dated the 21st May 1974, the industrial dispute between Messrs. Shree Sankar Industries, 22 Kumarpara Lane, Liluah, Howrah and their workman Shri Manilal Kundu, 40 Bhairab Ghatak Lane, Salkia, Howrah, regarding the issue mentioned in the said order being a matter specified in the Second Schedule to the Industrial Disputes Act, 1947 (XIV of 1947), was referred for adjudication to the Seventh Industrial Tribunal;

And whereas the said Seventh Industrial Tribunal has submitted to the State Government its award on the said industrial dispute;

Now, therefore, in pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

In the matter of an industrial dispute between Messrs. Shree Sankar Industries, 22 Kumarpara Lane, Liluah, Howrah and their workman Shri Manilal Kundu, 40 Bhairab Ghatak Lane, Salkia, Howrah. (Case No. VIII-110/74.)

BEFORE THE SEVENTH INDUSTRIAL TRIBUNAL, WEST BENGAL

Present:

Shri P. K. ROY, Judge,
Seventh Industrial Tribunal.

AWARD

On 4th June, 1974, this Tribunal received the present reference under G. O. No. 4028-IR, dated 21st May 1974 referring an industrial dispute between Messrs. Shree Sankar Industries and their workman Shri Manilal Kundu with the following issue:

Issue

Whether the termination of service of Shri Manilal Kundu by way of refusal of employment to him with effect from 11th September 1973 is justified? To what relief, if any, is he entitled?

On that very day notices were issued under Rule 20D of the West Bengal Industrial Disputes Rules, 1958, requiring the parties to appear before this Tribunal on 21st June 1974 and submit their written statement. It appears that the said notices were sent under registered cover with acknowledgment slips and were duly received by the parties. On 21st June 1974, the concerned workman Shri Manilal Kundu entered appearance but none appeared on behalf of the Company nor any step was taken. Thereafter 5th July 1974 was fixed for filing of the written statement, but on that date, none appeared and to give one more chance to the parties, I fixed 19th July 1974 for filing the written statement by the workman. On 19th July 1974 Mr. B. Biswas, Advocate for the workman, prayed for extension of time to file written statement on behalf of the workman. On 26th July 1974 Shri Biswas filed the written statement, but as the management did not entered appearance, the matter was placed for ex parte hearing today.

In order to substantiate the issue Shri Biswas examined Shri Manilal Kundu as P. W. 1. From the evidence of Shri Kundu, I find that he joined the Company on 24th July 1972 under an written agreement marked Ext. 1. From his evidence I also find that on 11th September 1973 his service was dispensed with by the management. From the written agreement, I find that the Company had no write to terminate his service without assigning any reason. I further find that the concerned workman raised an industrial dispute with the management and ultimately the matter was referred to the Assistant Labour Commissioner, Howrah for conciliation. From the correspondences collectively marked Ext. 4, I find that there was a conciliation proceeding, but the management did not participate in the said proceeding. The evidence goes unchallenged and undisputed. From the evidence I am satisfied that Shri Kundu was an employee of the Messrs. Shree Sankar Industries and I am also satisfied that his service was terminated without any just and sufficient cause and as such I hold that the termination of service of Shri Manilal Kundu by way of refusal of employment with effect from 11th September 1973 cannot be justified. He is, therefore, entitled to reinstatement with all back wages.

This is my award.

Dictated and corrected by me.

P. K. ROY,
Judge.

P. K. ROY, Judge,
Seventh Industrial Tribunal.
30-7-1974.

By order of the Governor,
N. R. SIRCAR, Asstt. Secy.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

ORDERS

No. 4601/MIM-169/73.—10th September 1974.—In exercise of the power conferred by sub-clause (bb) of clause (ii) of sub-section (1) of section 554 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor was pleased to direct that with effect from the forenoon of 3rd August 1974 and until further orders, all the powers and duties which may under the provisions of the said Act or any other Act or any Ordinance or any Regulation or any rule, by-law, order, notification or subsidiary legislation made under the provisions of the said Act or such Regulation, be exercised and performed by the Chairman and by the Commissioners of the Siliguri Municipality, whether at a meeting or otherwise, shall be exercised and performed by Shri P. L. Dutta, W.B.C.S., Deputy Magistrate and Deputy Collector, Siliguri, in addition to his own duties, vice Shri N. Chaklanabis, W.B.C.S., Deputy Magistrate and Deputy Collector, transferred to Alipurduar.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal

No. 4602/MIM-169/73.—10th September 1974.—In exercise of the power conferred by sub-clause (bb) of clause (ii) of sub-section (1) of section 554 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932) and in partial modification of order No. 4601/MIM-169/73, dated the 10th September 1974, the Governor is pleased to direct that all the powers and duties which may, under the provisions of the said Act or any other Act or any Ordinance or any Regulation or any rule, by-law, order, notification or subsidiary legislation made under the provisions of the said Act or such Regulation, be exercirsed and performed by the Chairman and by the Commissioners of the Siliguri Municipality, whether at a meeting or otherwise, shall be exercised and performed by Shri P. K. De, W.B.C.S., Subdivisional Officer, Siliguri, in addition to his own duties with effect from the date he takes over charge as Administrator from Shri P. L. Dutta, W.B.C.S., Deputy Magistrate and Dupty Collector, Siliguri, and Administrator, Siliguri Municipality, until further orders.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

NOTIFICATIONS

No. 4603/M2A-9/73.—10th September 1974.—Whereas Government in their notification No. 1127/MIM-25/69, dated the 12th April 1969, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Rajpur Municipality in the district of 24-Parganas shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in Notifications No. 1179/MIM-25/69, dated the 10th April 1970, No. 1700/MIM-25/69, dated the 19th May 1970, No. 8116/MIM-25/69, dated the 12th December 1970, No. 2388/MIM-25/69, dated the 29th June 1971, No. 7008/M2A-46/71, dated the 22nd December 1971, No. 4708/M2A-46/71, dated the 27th October 1972, No. 511/M2A-46/71, dated the 13th February 1973, No. 3165/M2A-9/73, dated the 29th August 1973, and No. 3234/M2A-9/73 dated 2nd July 1974 the said period of appointment was extended up to the 30th September 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st December 1974.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri Satya Bhusan Roy, B.D.O., Sonarpur, shall continue as the Executive Officer of the Rajpur Municipality during the said extended period, in addition to his own duties and that during this period, the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 5417/M2A-46/71, dated the 14th December 1971.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

No. 4611/M2A-50/73.—11th September 1974.—Whereas Government in their notification No. 1449/MIM-41/69, dated the 12th May 1969, published at page 1635 of Part I of the "Calcutta Gazette, Extraordinary", of the 12th May 1969, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Chakdah Municipality in the district of Nadia shall have an Executive Officer for a period of one year from the date on which the Executive Officer assumes charge of his office;

And whereas in Notification No. 1461/MIM-41/69, dated the 28th April 1970, No. 4411/MIM-41/69, dated the 26th October 1970, No. 1353/MIM-41/69, dated the 27th April 1972, No. 3991/MIM-41/69, dated the 20th August 1971, No. 761/M2A-40/71, dated the 6th March 1972, No. 4007/M2A-40/71, dated the 25th August 1972, No. 23/M2A-40/71, dated the 5th January 1973, No. 1064/M2A-40/71, dated the 26th March 1973, No. 4030/M2A-50/73, dated the 29th September 1973, No. 740/M2A-50/73, dated the 25th March 1974, the said period of appointcent was extended up to the 30th September 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st December 1974.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri C. K. Gupta, Sub-Deputy Magistrate and Sub-Deputy Collector, Ranaghat, shall continue as the Executive Officer of the Chakdah Municipality during the said extended period in addition to his own duties till he is relieved by another officer and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government Notification No. 1988/M2A-57/71Pt.I, dated the 13th June 1973.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

The following Act of Parliament received the assent of the President on the 13th March, 1974, and is hereby published for general information:—

THE NATIONAL CO-OPERATIVE DEVELOPMENT CORPORATION (AMENDMENT) ACT, 1974.

No. 3 of 1974

[13*th March*, 1974]

An Act further to amend the National Co-operative Development Corporation Act, 1962.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the National Co-operative Development Corporation (Amendment) Act, 1974.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

Substitution of long title.

26 of 1962. 2. In the National Co-operative Development Corporation Act, 1962 (hereinafter referred to as the principal Act), for the long title, the following shall be substituted, namely:—

"An Act to provide for the incorporation and regulation of a corporation for the purpose of planning and promoting programmes for the production, processing, marketing, storage, export and import of agricultural produce, foodstuffs and certain other commodities on co-operative principles and for matters connected therewith.".

3. In section 2 of the principal Act,—

(*i*) in clause (*a*),—

(*1*) for the words "means any of the following", the words "includes the following" shall be substituted;

(*2*) in item (*i*), the words "foodstuffs, including" shall be omitted;

(*ii*) after clause (*a*), the following clauses shall be inserted, namely:—

'(*aa*) "bank" means a a nationalised bank and includes a scheduled bank;

(*ab*) "Board" means the Board of Management of the Corporation constituted under section 10;';

(*iii*) in clause (*d*), for the word and figure "section 3", the words, brackets and figures "sub-section (*1*) of section 3" shall be substituted;

(*iv*) after clause (*d*), the following clauses shall be inserted, namely:—

'(*da*) "foodstuffs", include—

(*i*) coconuts and areca-nuts;

(*ii*) eggs and egg products;

(*iii*) fish, whether fresh, frozen, dried or preserved;

(*iv*) fruits, whether fresh, dried or dehydrated;

(*v*) honey;

(*vi*) meat, whether fresh, frozen, dried or preserved;

(*vii*) milk and milk products;

(*viii*) vegetables;

(*db*) "General Council" means the General Council of the Corporation constituted under sub-section (*4*) of section 3;

(*dc*) "managing director" means the managing director of the Corporation;

(*dd*) "nationalised bank" means a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970;'; 5 of 1970.

(*v*) in clause (*e*), after the words "agricultural produce", the words "and foodstuffs" shall be inserted;

(*vi*) after clause (*g*), the following clause shall be inserted, namely:—

'(*ga*) "scheduled bank" means a bank for the time being included in the Second Schedule to the Reserve Bank of India Act, 1934;'. 2 of 1934

Amendment of section 3.

4. In section 3 of the principal Act, for sub-sections (*3*), (*4*) and (*5*), the following sub-sections shall be substituted, namely:—

"(*3*) The Corporation shall carry on its functions through the General Council and the Board.

(4) The General Council shall consist of the following members, namely:—

(i) a President and a Vice-President, both to be nominated by the Central Government;

(ii) eight members, *ex officio*, to be nominated by the Central Government from such of its ministries dealing with economic matters as it may think fit;

(iii) Deputy Governor of the Reserve Bank in charge of rural credit, *ex officio*;

(iv) Managing Director of the State Bank, *ex officio*;

(v) Managing Director of the Food Corporation of India, constituted under the Food Corporations Act, 1964, *ex officio*;

37 of 1964.

(vi) Managing Director of the Central Warehousing Corporation, constituted under the Warehousing Corporations Act, 1962, *ex officio*;

59 of 1962.

(vii) Chairman of the Industrial Finance Corporation of India, constituted under the Industrial Finance Corporation Act, 1948, *ex officio*;

15 of 1948.

(viii) a member representing banks, to be nominated by the Central Government;

(ix) Chairman of the National Co-operative Union of India, *ex officio*;

(x) Chairman of the National Agricultural Co-operative Marketing Federation, *ex officio*;

(xi) Chairman of the National Federation of Co-operative Sugar Factories, *ex officio*;

(xii) Chairman of the All India Federation of Co-operative Spinning Mills, *ex officio*;

(xiii) Chairman of the All India State Co-operative Banks' Federation, *ex officio*;

(xiv) eleven members, other than those nominated under clause (xv), representing the States and the Union territories, to be nominated by the Central Government, provided that not more than one person shall be so nominated from each State or Union territory;

(xv) eleven members to be nominated by the Central Government from among the Chairman of the State level co-operative federations from the States and Union territories, provided that not more than one person shall be so nominated from each State or Union territory;

(xvi) four members representing persons having special knowledge of, or practical experience in, agricultural co-operative development, to be nominated by the Central Government;

(xvii) three members representing national level organisations engaged or interested in the promotion and development of co-operative programmes, to be nominated by the Central Government;

(xviii) the managing director.

(5) The powers and functions of the Corporation shall be exercised or discharged, as the case may be, by the General Council, and references elsewhere in this Act to the Corporation shall, unless the context otherwise requires, be construed as references to the General Council.

(6) Notwithstanding the expiry of the prescribed term of his office, every member of the General Council shall continue to hold office as such, until his successor in such office has assumed charge of such office.

(7) Members of the General Council, other than the managing director, shall be entitled to receive such sitting fees as may be specified by regulations made by the Corporation under this Act, for attending any meeting of the General Council, Board or any committee of the Corporation:

Provided that no official member shall be entitled to receive any sitting fees.".

Amendment of section 4.

5. In section 4 of the principal Act, in clause (*iii*), before the words "if he is a salaried official", the words "except in the case of managing director," shall be inserted.

Amendment of section 7.

6. In section 7 of the principal Act,—

(*i*) in sub-section (*1*), for the words "shall meet at such times", the words "shall ordinarily meet twice a year at such times" shall be substituted;

(*ii*) in sub-sections (*2*) and (*3*), for the words "Chairman" and "Vice-Chairman", wherever they occur, the words "President" and "Vice-President" shall, respectively, be substituted.

Amendment of section 8.

7. In section 8 of the principal Act,—

(*i*) in sub-section (*1*), for the words "Secretary of the Corporation", the words "managing director" shall be substituted;

(*ii*) in sub-section (*3*), in clause (*a*), for the word "Secretory", the words "managing director" shall be substituted;

(*iii*) after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*4*) The managing director shall exercise such powers and perform such duties as the Board may entrust or delegate to him.".

Amendment of section 9.

8. In section 9 of the principal Act,—

(*i*) for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) Subject to the provisions of this Act, the functions of the Corporation shall be to plan and promote programmes, through co-operative societies, for—

(*a*) the production, processing, marketing, storage, export and import of agricultural produce, foodstuffs, poultry feed and notified commodities;

(*b*) the collection, processing, marketing, storage and export of minor forest produce.";

(*ii*) in sub-section (*2*),—

(*a*) in clause (*b*), for the words "agricultural produce", the words "agricultural produce, foodstuffs" shall be substituted;

(*b*) after clause (*c*), the following clauses shall be inserted, namely:—

"(*d*) provide loans and grants directly to the national level co-operative societies and other co-operative societies having objects extending beyond one State;

(*e*) provide loans to co-operative societies on the guarantee of State Governments or in the case of co-operative societies in the Union territories, on the guarantee of Central Government;

(*f*) participate in the share capital of the national level co-operative societies and other co-operative societies having objects extending beyond one State.".

Substitution of new section for section 10.

9. For section 10 of the principal Act, the following section shall be substituted, namely:—

Board of Management of the Corporation.

"10. (*1*) There shall be a Board of Management of the Corporation which shall consist of the following members, namely:—

(*i*) the Vice-President of the General Council, who shall be the Chairman;

(*ii*) three members of the General Council, to be nominated by the Central Government from among the members referred to in clause (*ii*) of sub-section (*4*) of section 3;

(*iii*) the member of the General Council referred to in clause (*iii*) of sub-section (*4*) of section 3;

(*iv*) one member of the General Council, to be nominated by the Central Government from among the members referred to in clauses (*ix*), (*x*), (*xi*), (*xii*) and (*xiii*) of sub-section (*4*) of section 3;

(*v*) two members of the General Council, to be nominated by the Central Government from among the members referred to in clause (*xiv*) of sub-section (*4*) of section 3;

(*vi*) two members of the General Council, to be nominated by the Central Government from among the members referred to in clause (*xv*) of sub-section (*4*) of section 3;

(*vii*) one member of the General Council, to be nominated by the Central Government from among the members referred to in clauses (*x*vi) and (*xvii*) of sub-section (*4*) of section 3;

(*viii*) the managing director.

(*2*) The Vice-Chairman of the Board shall be nominated by the Central Government.

(*3*) Subject to the general control, direction and superintendence of the General Council, the Board shall be competent to deal with any matter within the competence of the Corporation.

(*4*) The Board shall meet at such times and at such places and shall observe such procedure in regard to transaction of business at its meetings (including the quorum at meetings) as may be provided by regulations made by the Corporation under this Act.

(*5*) The confirmed minutes of every meeting of the Board shall be laid before the General Council at its next following meeting.".

10. In section 12 of the principal Act,— Amendment of section 12.

(*i*) in clause (*a*), the word "and" occuring at the end shall be omitted;

(*ii*) in clause (*b*), the word "and" shall be inserted at the end;

(*iii*) after clause (*b*), the following clause shall be inserted, namely:—

"(*c*) such additinal grants, if any, for the purposes of this Act.".

11. After section 12 of the principal Act, the following section shall be inserted, namely:— Insertion of new section 12A.

"12A. (*1*) The Corporation may, for the purposes of carrying out its functions under this Act, and with the previous approval of, and subject to the directions of the Central Government, borrow money from— Power of Corporation to borrow money.

(*a*) the public by the issue or sale of bonds or debentures, or both, carrying interest at such rates as may be specified therein;

(*b*) any bank or other financial institution;

(*c*) any other authority, organisation or institution as may be specially approved by the Central Government in this behalf.

(*2*) The Central Government may guarantee the repayment of the moneys borrowed by the Corporation under clause (*a*) or clause (*b*) or clause (*c*) of sub-section (*1*) and the payment of interest thereon and other incidental charges.".

12. In section 13 of the principal Act,— Amendment of section 13.

(*i*) in sub-section (*1*),—

(*a*) after clause (*b*), the following clause shall be inserted, namely:—

"(*ba*) all moneys borrowed under section 12A;";

(*b*) in clause (*d*), after the words "or dividends", the words "or other realisations" shall be inserted;

(*ii*) in sub-section (*2*), in clause (*b*), for the word "officers", the words "managing director, the officers" shall be substituted;

(*iii*) in sub-section (*3*), for the words "State Bank", the words "State Bank or a nationalised bank" shall be substituted.

13. In section 18 of the principal Act, for the words "the Corporation", the words "the General Council, the Board or any of the committees of the Corporation" shall be substituted. Amendment of section 18.

14. In section 19 of the principal Act, for the words "Chairman or the Vice-Chairman", the words "President or the Vice-President" shall be substituted. Amendment of section 19.

15. In sub-section (*2*) of section 22 of the principal Act,— Amendment of section 22.

(*i*) clauses (*a*), (*b*) and (*c*) shall be omitted;

(*ii*) in clause (*e*), for the words "Secretary to the Corporation", the words "managing director" shall be substituted;

(*iii*) clause (*f*) shall be omitted.

Amendment of section 23.

16. In sub-section (2) of section 23 of the principal Act,—

(i) in clause (a), for the words "the Corporation, the Executive Committee and other committees thereof", the words "the General Council, the Board and other committees of the Corporation" shall be substituted;

(ii) in clause (b), for the word "Secretary", the words "managing director" shall be substituted.

K. K. SUNDARAM,

Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 138WTC.—9th September 1974.—Whereas the Governor is of opinion that for the purposes of the departmental proceedings against Shri Asit Kumar Chatterjee, Motor Vehicles Inspector (Non-technical), Bankura, it is necessary to summon as witnesses, and call for documents from, any class or category of persons having knowledge of the subject matter of the departmental proceedings;

Now, therefore, in exercise of the power conferred by section 4 of the Departmental Proceedings (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1973, the Governor is pleased hereby to authorise Shri G. C. Chatterjee, Commissioner for Departmental Enquiries, West Bengal, the Inquiring Authority in the said departmental proceedings, to exercise the powers specified in section 5 of the said Act in relation to any person within such class or category of persons.

By order of the Governor,

M. M. KUSARI,

Transport Commissioner and ex-officio Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF AGRICULTURE AND COMMUNITY DEVELOPMENT

M. W. and C.

NOTIFICATIONS

No. 9830.—2nd September 1974.—In pursuance of the provisions of sub-section (3) of section 1 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to appoint the fifteenth day of September 1974 as the date on which the said Act shall come into force in the areas noted in column (3) of the Table below within the district and subdivision noted in columns (1) and (2) respectively of the said Table.

TABLE

District.	Subdivision.	Police-station.
(1)	(2)	(3)
West Dinajpore	Islampore	Islampore, Goalpokhar, Chopra.

By order of the Governor,

P. GHOSAL,

Dy. Secy. to the Govt. of West Bengal.

No. 9831-MW&C.—2nd September 1974.—In exercise of the power conferred by sub-section (1) of section 3 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to declare the areas, specified in column (3) of the Table below, to be the market areas within which purchase and sale of agricultural produce or produces as specified against each in column (4) of the said Table shall be regulated.

TABLE

District.	Subdivision.	Market area.	Name of the Agricultural produce.
(1)	(2)	(3)	(4)
West Dinajpur ..	Islampore ..	(1) Islampore police-station (2) The following mouzas with J. L. No. of Chopra police-station—	Cereal : Rice, Paddy. Fibre : Jute. Oil seeds Fruits : Mango. Animal Husbandry Products : Cattle Hide and Skin. Vegetables.

Mouza	J. L. No.
Dalua	27
Bilasi	28
Rajubhim	29
Nirbhoychandy ..	31
Sitalgaon	77
Rampur	78
Uttar Mahangoach ..	80
Lakshipur	81

(3) The following mouzas with J. L. No. of Goalpokhar police-station—

Mouza	J. L. No.
Sarnabari	25
Ikarchala	26
Majhok	27
Deona	24
Lackargaon ..	30
Nando	33
Masnabhita ..	34
Hanskuda ..	28
Satbhita	29
Panjipara ..	22
Tebapokhar ..	23
Mahua	36

By order of the Governor,

P. GHOSAL,

Dy. Secy. to the Govt. of West Bengal.

No. 9832-MW&C.—2nd September 1974.—In exercise of the power conferred by clause (i) of sub-section (1) of section 4 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to declare the areas specified in column (3) of the Table below as the principal market yard and the areas specified in column (4) of the said Table as sub-market yard for the market area noted in column (2) of the said Table.

TABLE

District.	Market area.	Principal market yard.	Sub-market yard.		
(1)	(2)	(3)	(4)		
West Dinajpur ..	(1) Islampore police-station.	Islampore Mouza (J. L. No. 60).	Police-station	Mouza	J. L. No.
	(2) The following mouzas with J. L. No. of Chopra police-station—		(1) Islampur	Ramganj	3
			(2) Goalpokhar	Panjipara	22

Mouza	J. L. No.
Dalua ..	27
Bilasi ..	28
Rajubhim ..	29
Nirbhoychandi	31
Sitalgaon ..	77
Rampur ..	78
Uttar Mohangoach	80
Lakshipur ..	81

(3) The following mouzas with J. L. No. of Goalpokhar police-station—

Mouza	J. L. No.
Sarnabari ..	25
Ikarchala ..	26
Majhok ..	27
Deona ..	24
Laskargaon ..	30
Nando ..	33
Masnabhita ..	34
Hanskuda ..	28
Satbhita ...	29
Panjipara ...	22
Teleepokhar ..	23
Mahua ..	36

By order of the Governor,

P. GHOSAL,

Dy. Secy. to the Govt. of West Bengal.

No. 9833-MW&C.—2nd September 1974.—In exercise of the power conferred by clause (ii) of sub-section (i) of section 4 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972) the Governor is pleased hereby to declare the areas specified in column (4) of the Table below as market proper in respect of the principal market yard mentioned in column (3) of the said Table :

TABLE

District.	Subdivision.	Principal market yard.	Market proper.	
(1)	(2)	(3)	(4)	
West Dinajpore ..	Islampore ..	Islampore Mouza (J. L. No. 60)	Mouza	J. L. No.
			Islampore	59
			Islampore-Choprajhar ..	60
			Bolhanja	50
			Choprajhar	57
			Illuabari	49
			Khabargaon	56
			Chorampara	58
			Damrulla	62
			Barhet	65
			Sealtore Taranuabari ..	64
			Kutumposa	63

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9834-MW&C.—2nd September 1974.—In exercise of the power conferred by section 5 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to constitute the market committee as mentioned in column (4) of the Table below in respect of the market area noted in column (3) of the said Table :

TABLE

District.	Subdivision.	Market area.	Name of the market committee.
(1)	(2)	(3)	(4)
West Dinajpore ..	Islampore ..	(1) Islampore police-station.	Islampore Regulated Market Committee.

(2) The following mouzas with J. L. No. of Chopra police-station—

Mouza	J. L. No.
Dalua	27
Bilasi ..	28
Rajubhim ..	29
Nirbhoychandi ..	31
Sitalgoan ..	77
Rampur ..	78
Uttar Mohangoach	80
Lakshipur ..	81

(3) The following mouzas with J. L. No. of Goalpokhar police-station—

Mouza	J. L. No.
Sonabari ..	25
Ikarchala ..	26
Majhok ..	27
Deona ..	24
Laskargoan ..	30
Nando ..	33
Masnabhita ..	34
Hanskhuda ..	28
Satbhita ..	29
Panjipara ..	22
Teleepokhar ..	23
Mahua ..	36

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

No. 9835-MW&C.—2nd September 1974.—In exercise of the power conferred by section 6 of the West Bengal Agricultural Produce Marketing (Regulation) Act, 1972 (West Ben. Act XXXV of 1972), the Governor is pleased hereby to publish the name of the market committee, mentioned in column (2) of the following schedule along with the names of its Chairman, Vice-Chairman and Members mentioned in columns (3), (4) and (5) respectively of the said schedule.

SCHEDULE

District.	Name of the Market Committee.	Name of Chairman	Name of Vice-Chairman.	Names of members.
(1)	(2)	(3)	(4)	(5)
West Dinajpur	Islampore Regulated Market Committee	Subdivisional Officer, Islampore	Md Karim Chowdhury, M.L.A., Islampore, son of late Yusuff Chowdhury, post office Islampore, police-station Islampore, district West Dinajpore.	(1) Subdivisional Officer, Islampur. (2) District Agricultural Marketing Officer, West Dinajpore. (3) Secretary, Choprajhar S. K. U. S. Ltd., post office Islampur, police-station Islampore, district West Dinajpore. (4) Pradhan, Islampore, Anchal Panchayet, post office Islampur, police-station Islampore, district West Dinajpore. (5) Md. Karim Chowdhury, M.L.A., son of late Yusuff Chowdhury, post office Islampore, police-station Islampore, district West Dinajpore. (6) Md. Suja Gauhar Alam, son of Dilwar Hossain, village and post office Sujali, police-station Islampore, district West Dinajpore. (7) Shri Kashiram Karmakar, son of late Bisanlal Karmakar, village Malkadanga, post office Dhontola, police-station Islampore, district West Dinajpore. (8) Md. Abdul Quasem, son of Khalibur Rahaman, village Malani, post office Khanti, police-station Islampore, district West Dinajpore. (9) Md. Samsuddin, Anchal Prodhan, Panjipara Anchal Panchayat, post office Panji para, police-station Goalpokhar, district West Dinajpore.

By order of the Governor,
P. GHOSAL,
Dy. Secy. to the Govt. of West Bengal.

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PART V —Acts of the Parliament of India assented to by the President and Acts enacted and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

The following Act of Parliament received the assent of the President on the 13th March, 1974, and is hereby published for general information:—

THE ESSO (ACQUISITION OF UNDERTAKINGS IN INDIA) ACT, 1974

No. 4 OF 1974

[*13th March, 1974.*]

An Act to provide for the acquisition and transfer of the right, title and interest of Esso Eastern Inc. in relation to its undertakings in India with a view to ensuring co-ordinated distribution and utilisation of petroleum products distributed and marketed in India by Esso Eastern Inc. and for matters connected therewith or incidental thereto.

WHEREAS Esso Eastern Inc., a foreign company, is carrying on, in India the business of distributing and marketing petroleum products manufactured by Esso Standard Refining Company of India Limited and Lube India Limited, and has, for that purpose, established places of business at Bombay and other places in India;

AND WHEREAS it is expedient in the public interest that the undertakings, in India, of Esso Eastern Inc. should be acquired in order to ensure that the ownership and control of the petroleum products distributed and marketed in India by the said company are vested in the State and thereby so distributed as best to subserve the common good;

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows ;—

CHAPTER I

PRELIMINARY

Short title.

1. This Act may be called the Esso (Acquisition of Undertakings in India) Act, 1974.

Definition.

2. In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means the date of commencement of this Act ;

(*b*) "Esso" means Esso Eastern Inc., a foreign company within the meaning of section 591 of the Companies Act, 1956, incorporated under the laws of the State of Delaware in the United States of America, and having its principal office at 2401 South Gessner, City of Houston, State of Texas, in the United States of America ; 1 of 1956.

(*c*) "Esso Standard" means Esso Standard Refining Company of India Limited, being a company as defined in the Companies Act, 1956, and having its registered office at Administration Building, Mahul, Bombay 400074 ; 1 of 1956.

(*d*) "Government company" means a company as defined in section 617 of the Companies Act, 1956 ; 1 of 1956.

(*e*) "Lube India" means Lube India Limited, being a company as defined in the Companies Act, 1956, and having its registered office at Administration Building, Corridor Road, Mahul, Bombay 400074 ; 1 of 1956.

(*f*) "notification" means a notification published in the Official Gazette ;

(*g*) "prescribed" means prescribed by rules made under this Act.

CHAPTER II

ACQUISITION OF THE UNDERTAKINGS IN INDIA OF ESSO

Transfer and vesting in the Central Government of the undertakings of Esso in India.

3. On the appointed day, the right, title and interest of Esso, in relation to its undertakings in India, shall stand transferred to, and shall vest in, the Central Government.

General effect of vesting.

4. (*1*) The undertakings referred to in section 3 shall be deemed, save as otherwise provided in sub-section (*2*), to include all assets, rights, powers, authorities and privileges and all property, movable and immovable, cash balances, reserve funds, investments and all other rights and interests in, or arising out of, such property as were, immediately before the appointed day, in the ownership, possession, power or control of Esso, in relation to its undertakings in India, and all books of account, registers, records and all other documents of whatever nature relating thereto and shall also be deemed to include all borrowings, liabilities and obligations of whatever kind then subsisting of Esso in relation to its undertakings in India.

(2) The undertakings referred to in sub-section (1) shall not include the following, namely:—

(a) any share held by Esso in the equity capital of Esso Standard or Lube India;

(b) any trade mark, and any right of Esso to use any trade mark in India, specified in the First Schedule;

(c) all patents and designs registered in India in the name of Esso.

(3) Unless otherwise expressly provided by this Act, all deeds, bonds, agreements, powers of attorney, grants of legal representation and other instruments of whatever nature in relation to the undertakings of Esso in India, subsisting or having effect immediately before the appointed day, and to which Esso is a party or which are in favour of Esso shall be of as full force and effect against or in favour of the Central Government and may be enforced or acted upon as fully and effectually as if in the place of Esso the Central Government had been a party thereto or as if they had been issued in favour of the Central Government.

(4) If, on the appointed day, any suit, appeal or other proceeding of whatever nature, in relation to the undertakings of Esso in India, which have been transferred to and vested in the Central Government under section 3, is pending by or against Esso, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertakings of Esso or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted and enforced by or against the Central Government, or, where any undertaking is directed under section 7 to vest in any Government company against the concerned Government company.

Central Government to be lessee or tenant under certain circumstances.

5. (1) Where any property is held in India by Esso under any lease or under any right of tenancy, the Central Government shall, on and from the appointed day, be deemed to have become the lessee or tenant, as the case may be, in respect of such property as if the lease or tenancy in relation to such property had been granted to the Central Government, and thereupon all the rights under such lease or tenancy shall be deemed to have been transferred to and vested in the Central Government.

(2) On the expiry of the term of any lease or tenancy referred to in sub-section (1), such lease or tenancy shall, if so desired by the Central Government, be renewed on the same terms and conditions on which the lease or tenancy was held by Esso immediately before the appointed day.

Removal of doubts.

6. (1) For the removal of doubts, it is hereby declared that the provisions of sections 3, 4 and 5 shall apply to the extent to which any property appertains to the business carried on by Esso in India; and to the rights and powers acquired, and to debts, liabilities and obligations incurred, and to contracts, agreements and other instruments made, by Esso in India, and to legal proceedings relating to those matters pending in any court or tribunal in India.

(2) If any question arises as to whether any property appertains, on the appointed day, to any business of Esso in India, or, whether any rights, powers, liabilities or obligations were acquired or incurred or any contract, agreement or other instrument was made by Esso for the purposes of its business in India, or whether any documents relate to those purposes, the question shall be referred to the Central Government which shall, after giving an opportunity of being heard to the persons interested in the matter decide it in such manner as it may think fit.

Power of Central Government to direct vesting of the undertakings of Esso in a Government company.

7. (*1*) Notwithstanding anything contained in sections 3, 4 and 5, the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by notification, that the right, title and interest and the liabilities of Esso in relation to any undertaking in India shall, instead of continuing to vest in the Central Government, vest in the Government company either on the date of the notification or on such earlier or later date (not being a date earlier than the appointed day) as may be specified in the notification.

(*2*) Where the right, title and interest and the liabilities of Esso in relation to its undertakings in India vest in a Government company under sub-section (*1*), the Government company shall, on and from the date of such vesting, be deemed to have become the owner, tenant or lessee, as the case may be, in relation to such undertakings, and all the rights and liabilities of the Central Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of the Government company.

(*3*) The provisions of sub-section (*2*) of section 5 shall apply to a lease or tenancy, which vests in a Government company, as they apply to a lease or tenancy vested in the Central Government and reference therein to the "Central Government" shall be construed as a reference to the Government company.

Payment of amount.

8. (*1*) For the transfer and vesting in the Central Government, under sections 3 and 4, of the right, title and interest of Esso in relation to its undertakings in India, and for the vesting in the Central Government, under section 5, of the rights specified therein, there shall be paid by the Central Government to Esso an amount or rupees two crores and fifty-nine lakhs in such instalments and in such manner as is specified in the Second Schedule.

(*2*) The amount specified in sub-section (*1*) shall carry interest, free of income-tax, at the rate of six and a half per cent. per annum from the appointed day till the date of payment in the manner specified in the Second Schedule.

CHAPTER III

PROVISIONS RELATING TO EMPLOYEES OF ESSO

Transfer of service of existing employees of Esso.

9. (*1*) Every whole-time officer or other employee of Esso who was, immediately before the appointed day, employed by Esso in connection with its undertakings in India, and every whole-time officer or other employee of Esso who wao was, immediately before the appointed day, temporarily holding any assignment outside India, shall, on the appointed day, become an officer or other employee, as the case may be, of the Central Government or, as the case may be, the Government company in which the right, title and interest of Esso in relation to its undertakings in India have vested under this Act and shall hold office or service under the Central Government or the Government company, as the case may be, on the same terms and conditions and with the same rights to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting and shall continue to do so unless and until his employment under the Central Government or the Government company, as the case may be, is duly terminated or until his remuneration and conditions of service are duly altered by the Central Government or the Government company, as the case may be.

(2) If any question arises as to whether any person was a whole-time officer or other employee or as to whether any officer or other employee was employed wholly or mainly in connection with the undertakings of Esso in India immediately before the appointed day, or whether any whole-time officer or other employee of Esso was temporarily holding any assignment outside India, the question shall be referred, within a period of two years from the appointed day and not thereafter, to the Central Government which shall, after giving an opportunity of being heard to the person concerned in the matter, decide it in such manner as it thinks fit and such decision shall be final.

(3) Notwithstanding anything contained in the Industrial Disputes Act, 1947, the Payment of Gratuity Act, 1972, or in any other law for the time being in force, the transfer of the services of any officer or other employee under sub-section (1) shall not entitle any such officer or other employee to any compensation or gratuity under those Acts or such other law, and no such claim shall be entertained by any court, tribunal or other authority.

14 of 1947.
39 of 1972.

10. (1) Where a provident, superannuation, welfare or other fund has been established by Esso for the benefit of the persons employed by it in connection with its undertakings in India, the moneys relatable to the employees, whose services are transferred by or under this Act to the Central Government or a Government company, shall, out of the moneys standing, on the appointed day, to the credit of such provident, superannuation, welfare or other fund, stand transferred to and vest in the Central Government or the Government company, as the case may be, free from any trust that may have been constituted by Esso in respect thereof.

Provident, superannuation, welfare fund, etc.

(2) The moneys which stand transferred, under sub-section (1), to the Central Government or a Government company, shall be dealt with by the Central Government or that company, as the case may be, in such manner as may be prescribed.

(3) The Government company in which the undertakings of Esso in India are directed to be vested shall, as soon as may be after the date of vesting, constitute, in respect of the moneys and other assets which are transferred to and vested in it under this section, one or more trusts having objects as similar to the objects of the existing trusts as in the circumstances may be practicable, so, however, that the rights and interests of the beneficiaries of the trust referred to in sub-section (1) are not, in any way, prejudiced or diminished.

(4) Where all the moneys and other assets belonging to an existing trust are transferred to and vested in the Central Government or a Government iompany under this section the trustees of such trust shall, as from the date of such vesting, stand discharged from the trust except as respects things done or omitted to be done before the date of such vesting.

CHAPTER IV

MISCELLANEOUS

11. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court, tribunal or other authority.

Effect of Act on other laws.

Duty to deliver possession of properties, etc.

12. (*1*) Where any property, appertaining to any undertaking of Esso in India has been transferred to, and vested in, the Central Government or a Government company under this Act:—

(*a*) every person in whose possession, custody or control any such property may be, shall, on a demand by the Central Government or the Government company, as the case may be, deliver the property to the Central Government or the Government company, as the case may be, forthwith;

(*b*) any person who, immediately before such vesting, has in his possession, custody or control any books, documents or other papers relating to the undertakings of Esso in India, shall be liable to account for the said books, documents and papers to the Central Government or the Government company, as the case may be, and shall deliver them up to the Central Government or that company or to such person as the Central Government or that company may authorise in this behalf.

(*2*) Without prejudice to the other provisions contained in this this section it shall be lawful for the Central Government or the Governmesnt company to take all necessary steps for taking possession of all properties which have been transferred to and vested in it under this Act.

Contracts to continue unless terminated by Central Government.

13. (*1*) Every contract entered into by Esso for any service, sale or supply in India, and in force immediately before the appointed day, shall, unless terminated, under sub-section (*2*), within one hundred and eighty days from the appointed day, continue to be of full force and effect against or in favour of the Central Government or the Government company in which the undertakings of Esso in India have vested under this Act.

(*2*) The Central Government may, if it is satisfied that any contract referred to in sub-section (*1*) is unduly onerous or has been entered into in bad faith or is detrimental to the interests of that Government or the Government company, by order in writing, either terminate such contract or make such alterations or modifications therein as it may think fit:

Provided that the Central Government shall not terminate any contract or make any alteration or modification therein except after giving to the parties to the contract a reasonable opportunity of being heard and except after recording, in writing, its reasons for such termination, alteration or modification, as the case may be.

Penalties.

14. Any person who,—

(*a*) having in his possession, custody or control any property forming part of any undertaking of Esso in India, wrongfully withholds such property from the Central Government or the Government company; or

(*b*) wrongfully obtains possession of or retains any property forming part of any undertaking of Esso in India; or

(*c*) wilfully withholds or fails to furnish to the Central Government or the Government company or any person specified by the Central Government or that company, any books, documents or other papers relating to any undertaking of Esso in India which may be in his possession, custody or control; or

(*d*) fails to deliver to the Central Government or the Government company any assets, books of account, registers or other documents in his possession, custody or control relating to any undertaking of Esso in India; or

(*e*) wrongfully removes or destroys any property pertaining to any undertaking of Esso in India; or

(*f*) wrongfully uses any property forming part of the undertokings of Esso in India,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

Offences by companies.

15. (*1*) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

Protection of action taken in good faith.

16. No suit, prosecution or other legal proceeding shall lie against the Central Government or the Government company or any of its officers or other employees for anything which is in good faith done or intended to be done under this Act.

Cognizance of offences.

5 of 1898.

17. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, no court shall take cognizance of any offence against this Act except on a complaint, in writing, made by the Central Government or any officer authorised in this behalf by that Government.

Indemnity.

18. Every officer of the Central Government and every officer or other employee of the Government company shall be indemnified by the Central Government or the Government company, as the case may be, against all losses and expenses incurred by him in, or in relation to, the discharge of his duties under this Act except such as have been caused by his own wilful act or default.

Power to remove difficulties.

19. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

Power to make rules.

20. (*1*) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(*2*) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE FIRST SCHEDULE

[*See* section 4(*2*)]

TRADE MARKS WHICH ESSO IS ENTITLED TO USE IN INDIA AND WHICH SHALL NOT VEST IN THE CENTRAL GOVERNMENT OR THE GOVERNMENT COMPANY

(*a*) The right of Esso to use in India the Trade Marks registered under the Trade and Merchandise Marks Act, 1958, by Exxon Corporation, a Corporation incorporated in the State of New Jersey, United States of America, and having its principal office in New York, United States of America. 43 of 1958.

(*b*) All Trade Marks registered in India by Esso under the Trade and Merchandise Marks Act, 1958. 43 of 1958.

THE SECOND SCHEDULE

(*See* section 8)

1. The amount specified in section 8 shall be deemed to correspond to thirty lakhs, eighty-four thousand, six hundred and ninety dollars (hereafter in this Schedule referred to as the principal amount).

2. The amount referred to in the foregoing paragraph and the interest due thereon shall be remitted by the Central Government to Esso at its principal office at 2401 South

Gessner, City of Houston, State of Texas, in the United States of America, on the dates and in instalments specified in the corresponding entries in the Table below, namely:—

THE TABLE

Date of payment	Instalments
(i) First aniversary of the appointed day.	200,504 ·85 dollars towards interest on the principal amount.
(ii) Second aniversary of the appointed day.	(i) 2,691,660 ·00 dollars towards the principal amount, and (ii) 200,504 ·85 dollars towards interest.
(iii) Third aniversary of the appointed day.	(i) 393,030 ·00 dollars towards the principal amount, and (ii) 25,546 ·95 dollars towards interest.

Explanation.—In this Schedule, "dollar" means the unit of currency in the United States of America.

K. K. SUNDARAM,

Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

NOTIFICATION

No. 7804P.—13th September 1974.—The Governor is pleased hereby to appoint Shri B. N. Roy, WBCS (Retd.), to act as Secretary to the Commission of Inquiry appointed under this Department notification No. 7159P., dated the 30th August 1974, until further orders.

By order of the Governor,

B. R. GUPTA,

Chief Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

MIDNAPORE.—No. 19127-L. A. (P. W.)/11-74/74.—13th September 1974.—Whereas 8.6360 hectares (21.34 acres), more or less, of land situate in or near the village of Sarisha described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for Dubda Basin Drainage Scheme ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Midnapore.

Description of the land

Mauza Sarisha, jurisdiction list No. 205, police-station Egra, district Midnapore

Revisional survey plots in full—23, 24, 26, 28, 29, 30, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 153, 154, 155, 161, 162, 164, 280, 281, 282, 283, 285, 294, 295, 296, 297, 298, 299, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 331, 340, 341, 342, 343, 344, 346, 347, 348, 349, 355, 356, 357, 358, 371, 372, 470, 471, 472, 473, 478, 479, 480, 482, 489, 490, 493, 151/933, 478/934, 478/935, 478/936, 479/938, 479/939 and 493/942

Revisional survey plots in part—

Plot No	Specific portion of the plot	Area in acre	Area in hectare.
15	Eastern	.09	.03645
160	Eastern	.25	10125
163	Eastern	17	.06885
279	Eastern	07	02835
286	Eastern	.30	12150
287	Eastern	.02	00810
288	Northern . ..	02	00810
290	Eastern .. .	16	06480
301	Eastern	.10	04050
330	Northern	.66	26730
332	Eastern	05	02025
335	Eastern	.13	05265
339	Eastern	.27	.10735
360	Western .. .	14	05670
477	Western	.20	.08100
481	Western	.20	08100
483	Western	18	07290
491	Southern	04	01620
479/937	Western	11	04455
491/940	Southern .	.01	.00405
294/948	Eastern .. .	.04	.02025

By order of the Governor,
S GHOSH,
Spl Officer and Dy Secy (ex officio)
to the Govt of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

The following Act of Parliament received the assent of the President on the 23rd March, 1974, and is hereby published for general information:—

THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTIONS (AMENDMENT) ACT, 1974

No. 5 of 1974

[*23rd March, 1974.*]

An Act to amend the Presidential and Vice-Presidential Elections Act, 1952

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

31 of 1952

1. This Act may be called the Presidential and Vice-Presidential Elections (Amendment) Act, 1974. **Short title.**

2. In section 2 of the Presidential and Vice-Presidential Elections Act, 1952 (hereinafter referred to as the principal Act),— **Amendment of section 2.**

(*a*) in clause (*d*), for the words "a member of either House of Parliament", the words and figures "a member of the electoral college referred to in article 66" shall be substituted;

(*b*) after clause (*f*), the following clause shall be inserted, namely:—

'(*ff*) "public holiday" means any day which is a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881;';

(*c*) in clause (*g*), for the word "authorised", the word "competent" shall be substituted.

Amendment of section 4.

3. In section 4 of the principal Act, for sub-section (*1*), the following sub-sections shall be substituted, namely:—

"(*1*) The Election Commission shall, by notification in the Official Gazette, appoint for every election—

(*a*) the last date for making nominations, which shall be the fourteenth day after the date of publication of the notification under this sub-section, or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(*b*) the date for the scrutiny of nominations, which shall be the day immediately following the last date for making nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(*c*) the last date for the withdrawal of candidatures, which shall be the second day after the date for the scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(*d*) the date on which a poll shall, if necessary, be taken, which shall be a date not earlier than the fifteenth day after the last date for the withdrawal of the candidatures.".

Substitution of new sections for section 5.

4. For section 5 of the principal Act, the following sections shall be substituted, namely:—

"Public notice of election,

5. On the issue of a notification under sub-section (*1*) of section 4, the returning officer for the election shall give public notice of the intended election in such form and in such manner as may be prescribed, inviting nominations of candidates for such election and specifying the place at which the nomination papers are to be delivered.

Nomination of candidates.

5A. Any person may be nominated as a candidate for election to the office of President or Vice-President if he is qualified to be elected to that office under the Constitution.

Presentation of nomination papers and requirements for a valid nomination.

5B. (*1*) On or before the date appointed clause (*a*) of sub-section (*1*) of section 4, each candidate shall, either in person or by any of his proposers or seconders, between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon, deliver to the returning officer at the place specified in this behalf in the public notice issued under section 5 a nomination paper completed in the prescribed form and subscribed by the candidate as assenting to the nomination, and

(*a*) in the case of Presidential election, also by at least ten electors as proposers and at least ten electors as seconders:

(*b*) in the case of Vice-Presidential election, also by at least five electors as proposers and at least five electors as seconders:

Provided that no nomination paper shall be presented to the returning officer on a day which is a public holiday.

(2) Each nomination paper shall be accomponied by a certified copy of the entry relating to the candidate in the electoral roll for the parliamentary constituency in which the candidate is registered as an elector.

(3) The returning officer shall not accept any nomination paper which is presented on any day before eleven o'clock in the forenoon and after three o'clock in the afternoon.

(4) Any nomination paper which is not received before three o'clock in the afternoon on the last date appointed under clause (*a*) of sub-section (*1*) of section 4 or to which the certified copy referred to in sub-section (2) of this section is not attached shall be rejected and a brief note relating to such rejection shall be recorded on the nomination paper itself.

(5) No elector shall subscribe, whether as proposer or as seconder, more than one nomination paper at the same election and, if he does, his signature shall be inoperative on any paper other than the one first delivered.

(6) Nothing in this section shall prevent any candidate from being nominated by more than one nomination paper for the same election:

Provided that not more than four nomination papers shall be presented by or on behalf of any candidate or accepted by the returning officer.

Deposit.

5C. (*1*) A candidate shall not be deemed to be duly nominated for election unless he deposits or causes to be deposited a sum of two thousand five hundred rupees:

Provided that where a candidate has been nominated by more than one nomination paper for the same election, not more than one deposit shall be required of him under this sub-section.

(2) The sum required to be deposited under sub-section (*1*) shall not be deemed to have been deposited under that sub-section unless at the time of presentation of the nomination paper under sub-section (*1*) of section 5B, the candidate has either deposited or caused to be deposited that sum with the returning officer in cash or enclosed with the nomination paper a receipt showing that the said sum has been deposited by him or on his behalf in the Reserve Bank of India or in a Government Treasury.

Notice of nominations and the time and place for their scrutiny.

5D. On the presentation of a nomination paper, the returning officer shall—

(*a*) sign thereon a certificate stating the date and time of presentation of the nomination paper and enter thereon its serial number;

(*b*) inform the person or persons presenting the nomination paper of the date, time and place fixed for the scrutiny of nominations; and

(*c*) cause to be affixed in some conspicuous place in his office a copy of the nomination paper as certified and numbered under clause (*a*).

Scrutiny of nominations.

5E. (*1*) On the date fixed for the scrutiny of nomination under sub-section (*1*) of section 4, the candidates, one proposer or one seconder of each candidate and one other person duly authorised in writing by each candidate, but no other person, shall be entitled to be present at the time of scrutiny of nominations and the returning officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have not been rejected under sub-section (*4*) of section 5B.

(*2*) For the removal of doubts, it is hereby declared that it shall not be necessary to scrutinise on the date fixed for the scrutiny of nominations the nomination papers already rejected under sub-section (*4*) of section 5B.

(*3*) The returning officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination paper and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:—

(*a*) that, on the date fixed for the scrutiny of nominations, the candidate is not eligible for election as President or Vice-President, as the case may be, under the Constitution; or

(*b*) that any of the proposers or seconders is not qualified to subscribe a nomination paper under sub-section (*1*) of section 5B; or

(*c*) that the nomination paper is not subscribed by the required number of proposers or seconders; or

(*d*) that the signature of the candidate or any of the proposers or seconders is not genuine or has been obtained by fraud; or

(*e*) that there has been a failure to comply with any of of the provisions of section 5B or section 5C.

(*4*) Nothing contained in clauses (*b*) to (*e*) of sub-section (*3*) shall be deemed to authorise the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

(*5*) The returning officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.

(*6*) The returning officer shall hold the scrutiny on the date appointed in this behalf under clause (*b*) of sub-section (*1*) of section 4 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riot or open violence or by causes beyond his control:

Provided that in case an objection is raised by the returning officer or is made by any other person the candidate concerned may be allowed time to rebut it not later than the next day but one following the date fixed for scrutiny, and the returning officer shall record his decision on the date to which the proceedings have been adjourned.

(7) The returning officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall elector for that constituency, unless it is proved for such rejection.

(8) For the purposes of this section, a certified copy of an entry in the electoral roll for the time being in force shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that constituency, unless it is proved that he is subject to any of the disqualifications mentioned in section 16 of the Representation of the People Act, 1950.".

43 of 1950.

5. In section 6 of the principal Act,— Amendment of section 6.

(a) in sub-section (1), for the words "by his proposer or seconder", the words "by any one of his proposers or seconders" shall be substituted;

(b) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) The Returning Officer shall, on being satisfied as to the genuineness of a notice of withdrawal and the identity of the person delivering it under sub-section (1), cause the notice to be affixed in some conspicuous place in his office.".

6. In section 14 of the principal Act, for sub-section (2), the following sub-sections shall be substituted, namely:— Amendment of section 14.

"(2) An election petition calling in question an election may be presented on one or more of the grounds specified in sub-section (1) of section 18 and section 19 to the Supreme Court by any candidate at such election, or—

(i) in the case of Presidential election, by twenty or more electors joined together as petitioners;

(ii) in the case of Vice-Presidential election, by ten or more electors joined together as petitioners.".

7. For sub-section (1) of section 18 of the principal Act, the following sub-sections shall be substituted, namely:— Amendment of section 18.

"(1) If the Supreme Court is of opinion,—

(a) that the offence of bribery or undue influence at the election has been committed by the returned candidate or by any person with the consent of the returned candidate; or

(b) that the result of the election has been materially affected—

(i) by the improper reception or refusal of a vote; or

(ii) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act; or

(iii) by reason of the fact that the nomination of any candidate (other than the successful candidate), who has not withdrawn his candidature, has been wrongly accepted; or

(c) that the nomination of any candidate has been wrongly rejected or the nomination of the successful candidate has been wrongly accepted;

the Supreme Court shall declare the election of the returned candidate to be void.".

Insertion of new section 20A.

8. In Part IV of the principal Act, before the existing section 21, the following sections shall be inserted, namely:—

Return or forfeiture of candidate's deposit.

"20A. (*1*) The deposit made under section 5C shall either be returned to the person making it or his legal representative or be forfeited to the Central Government in accordance with the provisions of this section.

(*2*) Except in cases hereafter mentioned in this section, the deposit shall be returned as soon as practicable after the result of the election is declared.

(*3*) If the candidate is not shown in the list referred to in clause (*b*), of section 8, or if he dies before the commencement of the poll, the deposit shall be returned as soon as practicable after the publication of the list or after his death, as the case may be.

(*4*) Subject to the provisions of sub-section (*3*), the deposit shall be forfeited if at the election where the poll has been taken, the candidate is not elected, and the number of valid votes polled by such candidate does not exceed one-sixth of the number of votes necessary to secure the return of a candidate at such election.".

Amendment of section 21.

9. In section 21 of the principal Act,—

(*1*) in sub-section (*2*),—

(*a*) in clause (*b*), for the words "members of both Houses of Parliament", the words and figures "members of the electoral college referred to in article 66" shall be substituted;

(*b*) after clause (*c*), the following clause shall be inserted, namely:—

"(*cc*) the form and manner in which public notice under section 5 shall be given by the returning officer;";

(*c*) for clause (g), the following clause shall be substituted namely:—

"(*g*) the place and hours of polling, the manner in which votes are to be given both generally and in the case of illiterate voters or voters not conversant with the language in which ballot papers are printed or voters under physical or other disability and the procedure as to voting to be followed at elections;";

(2) after sub-section (*2*), the following sub-section shall inserted, namely:—

"(*3*) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made,

the rule shall thereafter have effect only in such modified form, or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

K. K. SUNDARAM,

Secy. to the Govt. of India.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MURSHIDABAD.—No. 18938-L.A.(P.W.)/1M-60/74.—12th September 1974.—Whereas 7·04 acres (2·8490 hectares), more or less, of land situated in or near the village of Surangapur described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of maintaining supplies and services essential to the life of the community, namely, for installation of Electrical Sub-station;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Collector, Murshidabad.

Description of the land

Mauza Surangapur, jurisdiction list No. 26, police-station Nowda, district Murshidabad.

Revisional survey plots in full—1360, 1362, 1363, 1365, 1367, 1368, 1369, 1539, 1540, 1541, 1542, 1543, 1544, 1545 and 1546.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
1370	Northern ..	0·22	0·0890
1371	Northern ..	0·34	0·1376

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex-officio) to the Govt. of West Bengal.

NOTIFICATION

HOOGHLY.—No. 18958-L.A. (II).—12th September 1974.—Whereas it appears to the Governor that land in likely to be needed for a public purpose, namely, for preservation and developement of the birthplace of late Sarat Chandra Chatterjee, the renowned novelist, as a memorial to him at Debanandapur in the district of Hooghly, it is hereby notified that a piece of land comprising survey plots as detailed in the schedule below and measuring, more or less, ·0405 of a hectare (·10 of an acre) is likely to be needed for the aforesaid public purpose at the public expense within the aforesaid village of Debanandapur.

This notification is made under the provisions of section 4 of the Act I of 1894 to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Hooghly.

In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey the land and do all other acts required or permitted by that section.

Any person interested in the land described in the schedule below, who has any objection to the acquisition thereof, may, within thirty days after the date on which public notice of the substance of this notification is given in the locality, file an objection in writing before the Collector of Hooghly.

Schedule of land

Village Debanandapur, jurisdiction list No. 3, police station Chinsurah, district Hooghly.

Revisional survey plots in full—476 and 480.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio).
the Govt. of West Bengal.

NOTICES

MALDA.—No.18963-L.A.(II)/8R-3/74.—12th September 1974.—Whereas ·0469 hectare (·116 acre), more or less, of land situate in or near the village of Mahesmati described below has been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for trnasport and communication, namely, for the construction of an approach road for establishment of a Commercial Estate at Malda ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948). to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Malda.

Description of the land

Mauza Mahesmati, jurisdiction list No. 66, police-station Englishbazar, district Malda.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in hectare.	Area in acre.
75/384	Northern	..	·0182	·045
94/1700	Southern	..	·0287	·071

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy (ex officio) to
the Govt. of West Bengal

MALDA.—No. 18968-L.A.(II)/4B-14/74.—12th September 1974.—Whereas 0·6074 hectare (1·5009 acres), more or less, of land situate in or near the village of Mahesmati described below has been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of increasing employment opportunities for the people by establishing Commercial Estate namely, for the construction of Commercial Estate ;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Malda.

Description of the land

Mauza Maheshmati, jurisdiction list No. 66, police station Englishbazar, district Malda.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in hectare.	Area in acre.
90	South-western	..	·3076	·76
91	Eastern	..	·0991	·245
92	Western	..	·2007	·4959

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex-officio)
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GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTIFICATION

No. 145-WTC.—13th September 1974.—Whereas the Governor is of opinion that for the purposes of the departmental proceedings against Shri Amar Nath Sur, Motor Vehicles Inspector (Technical), Public Vehicles Department, Calcutta, it is necessary to summon as witnesses, and call for documents from, any class or category of persons having knowledge of the subject matter of the departmental proceedings;

Now, therefore, in exercise of the power conferred by section 4 of the Departmental Proceedings (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1973, the Governor is pleased hereby to authorise Shri R. Banerjee, WBHJS, Commissioner for Departmental Enquiries, West Bengal, the Inquiring Authority in the said departmental proceedings to exercise the power specified in section 5 of the said Act in relating to any person within such class or category of persons.

By order of the Governor,

M. M. KUSHARI,

Transport Commissioner and Secy. (ex-officio) to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF PANCHAYATS

NOTIFICATION

No. 15316-Panch.—9th September 1974.—Whereas the Governor is satisfied on the report of the prescribed authority appointed for the purpose of section 67 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957), under the Department of Panchayat's notification No. 11160-Panch/2A-28/66, dated the 2nd September 1967, that Sahapur Anchal Panchayat within Old Malda Block, district Malda, is not competent to perform and is persistently making default in performing the duties imposed on it by and under the said Act;

Now, therefore, in exercise of the power conferred by section 67 of the West Bengal Panchayat Act, 1957 (West Ben. Act I of 1957), the Governor is pleased hereby to direct that the said Sahapur Anchal Panchayat be superseded for a period of one year with effect from the date of publication of this notification in the "Calcutta Gazette".

By order of the Governor,
R. N. CHATTERJEE,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF AGRICULTURE AND COMMUNITY DEVELOPMENT

Fertiliser

NOTIFICATION

No. 2702-Fert.—17th September 1974.—In exercise of the power conferred to clause 19 of the Fertiliser (Control) Order, 1957, published under the Government of India, Ministry of Food and Agriculture Notification No. S.R.O.F. 16-1/57M., dated the 23rd April 1957, as amended from time to time (hereinafter referred to as the said order), and in supersession of all previous notifications on the subject, the Governor is pleased hereby to appoint the persons specified in column 1 of the table below as Inspectors of fertilisers for the purpose of the said order and to define the areas specified in the corresponding entries in column 2 of the said table as the areas within which such Inspectors shall exercise their respective jurisdiction:—

The Table

Person	Area for which appointment is made.
1	2
(1) Deputy Secretary to the Government of West Bengal, Agriculture and Community Development Department, and in-charge of Fertiliser Distribution Scheme.	Throughout the State of West Bengal.
(2) Assistant Secretary to the Government of West Bengal, Department of Agriculture and Community Development, and in-charge of Fertiliser Distribution Scheme.	Ditto
(3) Special Officer (Accounts), Fertiliser, Agriculture and Community Development Department, Government of West Bengal.	Ditto
(4) Special Assistant (Fertiliser), Agriculture and Community Development Department, Government of West Bengal.	Ditto

Person	Area for which appointment is made.
1	2
(5) District Agricultural Marketing Officer attached to Fertiliser Branch of Agriculture and Community Development Department, Government of West Bengal.	Throughout the State of West Bengal.
(6) Director of Agriculture, West Bengal.	Ditto
(7) Deputy Director of Agriculture (Fertiliser and Manure), West Bengal.	Ditto
(8) Joint Director of Agriculture of the Range.	Within their respective areas of range.
(9) Principal Agricultural Officers.	Within their respective areas of work.
(10) District Agricultural Officer.	Ditto
(11) Block Development Officers.	Ditto
(12) The Agricultural Chemist, West Bengal.	Throughout the State of West Bengal.
(13) Assistant Agricultural Chemist, West Bengal.	Ditto
(14) Senior Analitical Assistant, Agricultural Chemistry Section, Government of West Bengal.	Ditto
(15) Junior Analitical Assistant, Agricultural Chemistry Section, Government of West Bengal.	Ditto
(16) Analitical Assistant, Agricultural Chemistry Section, Government of West Bengal.	Ditto
(17) Fertiliser Promotion Officers posted at Writers' Buildings.	Ditto
(18) Fertiliser Promotion Officers.	Within their respective areas of work.
(19) Subject Matter Specialist (Fertiliser) of the Office of the Project Executive Officer, Burdwan.	Within his area of work.
(20) The Agricultural Extension Officers.	Within their respective areas of work.
(21) The Sub-Inspector of Police and all Officers above the rank of Inspector attached to Enforcement Branch.	Ditto
(22) District Agronomists (Crops).	Ditto

By order of the Governor,

K. P. A. MENON,

Commissioner and Ex-officio Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

OFFICE OF THE COMMISSIONER OF POLICE, CALCUTTA

ORDER

Dated the 17th September 1974

Whereas for the prevention of assembly of five or more persons, or any procession, or the carrying of any lathis or other dangerous weapons, or the doing of any act which is likely to cause a disturbance of the public tranquillity and breach of the peace, I, S. C. Chaudhuri, Commissioner of Police, Calcutta, and an Executive Magistrate in the district of 24-Parganas, being specially empowered by the State Government under notification No. 2505-GA, dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), issued an order under the said section on the 26th July 1974, in respect of certain area within the jurisdiction of Garden Reach police-station in the suburbs of the town of Calcutta as mentioned in the schedule thereto;

And whereas apprehension of disturbances of the public tranquillity and breach of the peace no longer exists in the said area;

Now, therefore, in exercise of the power conferred on me by sub-section (4) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974),

I, the said S. C. Chaudhuri, Commissioner of Police, Calcutta, and an Executive Magistrate in the district of 24-Parganas, do hereby with immediate effect rescind the aforesaid order dated the 26th July 1974.

Explanation: In this order, the "suburbs of the town of Calcutta" means the suburbs of the town of Calcutta as defined by a notification under section 1 of the Calcutta Suburban Police Act, 1866 (Bengal Act II of 1866).

Given under my hand and seal this the 17th day of September 1974.

S. C. CHAUDHURI,

Commissioner of Police, Calcutta
and
Executive Magistrate. 24-Parganas

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GOVERNMENT OF WEST BENGAL
HOME DEPARTMENT
Political
NOTIFICATION

No. 7915-P.—17th September 1974.—Whereas the Governor is of opinion that, having regard to the nature of the inquiry to be made and other circumstances of a case, all the provisions of sub-sections (2) to (5) of section 5 of the Commissions of Inquiry Act, 1952 (Act 60 of 1952), should be made applicable to the Commission of Inquiry appointed under this Department Notification No. 7159-P, dated the 30th August 1974, published in the "Calcutta Gazette, Extraordinary", dated the 30th August 1974 (hereinafter referred to as the said Commission of Inquiry);

Now, therefore, in exercise of the power conferred by sub-section (1) of section 5 of the Commission of Inquiry Act, 1952 (Act 60 of 1952), the Governor is pleased hereby to direct that all the provisions of sub-sections (2) to (5) of section 5 of the said Act shall apply to the said Commission of Inquiry.

By order of the Governor,
B. R. GUPTA,
Chief Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 19960-F.S./FS/14R-17/74.—17th September 1974.—Whereas the Governor is of opinion that it is necessary and expedient so to do for maintaining supplies of rice and securing its equitable distribution and availability at fair prices in West Bengal;

Now, therefore, in exercise of the powers conferred by rule 114 of the Defence of India Rules, 1971, the Governor is pleased hereby to make, with the prior concurrences of the Central Government, the following Order, namely:—

1. **Short title, extent and commencement.**—(1) This Order may be called the West Bengal Rice (Restrictions on Movement) Order, 1974.

(2) It extends to the whole of West Bengal, except the areas in which the West Bengal Rationing Order, 1964, is in force.

(3) It shall come into force at once.

(4) It shall expire on such date as may be notified by the State Government in the Official Gazette, but its expiry shall not affect its operation as respects things previously done or omitted to be done.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

(a) "Controller" means, in respect of any area, the Subdivisional Controller of Food and Supplies in the Department of Food and Supplies, Government of West Bengal, having jurisdiction in such area, and includes such other Officer of the State Government not below the rank of Inspector in the Department of Food and Supplies as may be authorised by the State Government by notification in the Official Gazette to perform the functions of the Controller under this order in respect of such area as may be specified in the notification;

(b) "rice" includes broken rice but does not include *chira, muri* and *khoi*;

(c) "transport" means to move or cause to be moved by any motor vehicle or inland vessel or by rail.

3. **Restrictions on transport of rice.**—No person shall transport any rice from any place within a district to any place outside it except under and in accordance with a permit granted by the Controller;

Provided that nothing in this paragraph shall apply to transport of rice not exceeding 2 kilograms in weight by a bona fide traveller for his personal consumption.

4. **Savings.**—Nothing in this Order shall apply to transport of any rice—

(i) by, or on account of, or on behalf of, or on the authority of, the State Government or the Central Government or the Food Corporation of India established under the Food Corporations Act, 1964 (Act 37 of 1964);

(ii) covered by a permit or a written authority or an order of exemption issued by a competent authority under any order made under section 3 of the Essential Commodities Act, 1955 (Act 10 of 1955);

(iii) under and in accordance with military credit notes or certificates;

(iv) by the crew of any inland vessel plying in any river in West Bengal, not exceeding such quantity as may be required for their bona fide consumption calculated at the scale of [illegible] kilogram of rice or 1½ kilograms of paddy per head per day for a maximum period of 15 days.

5. **Powers of entry, search, seizure, etc.**—The Controller or any Officer of the Department of Food and Supplies, not below the rank of Sub-Inspector or any Police Officer not below the rank of Assistant Sub-Inspector or such other Officer of the State Government as may be authorised by the State Government in this behalf, may, with a view to securing compliance with this Order, or to satisfying himself that this Order has been complied with, with such aid or assistance as he thinks fit,—

(a) stop and search any vessel found in inland waterways, or any motor vehicle used or capable of being used for the transport of rice;

(b) inspect any document relating to transport of rice;

(c) enter and search any premises or place;

(d) seize and remove any article in respect of which he has reason to believe that any provision of this Order has been, is being or is about to be contravened, along with the packages, coverings or receptacles in which such article is found and the vehicles or vessels used in carrying such articles and thereafter take or authorise the taking of all measures necessary for securing the production of the article, packages, coverings, receptacles, vehicles or vessels so seized, before a Magistrate without delay and for their safe custody pending such production.

By order of the Governor,

S. B. RAY,

Secy. to the Govt. of West Bengal

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GOVERNMENT OF WEST BENGAL

FINANCE DEPARTMENT

Taxation

NOTIFICATION

No. 6091-F.T.—18th September 1974.—In exercise of the power conferred by section 23 of the West Bengal Taxes on Entry of Goods in Local Areas Act, 1962 (West Ben. Act XX of 1962), the Governor is pleased to make, with effect from 18th September 1974, after previous publication as required by sub-section (1) of the said section, the following amendments in the West Bengal Taxes on Entry of Goods in Local Areas Rules, 1955, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendments

In rule 7 of the said rules,—

(1) in sub-rule (1), for the words "on the entry of tea", substitute the words "on the entry of tea or jute",

(2) after sub-rule (1), insert the following proviso:

"Provided that where any dealer causing entry of tea or jute within the local areas make

representation in this behalf to the prescribed authority, and the prescribed authority is satisfied that the measure will safeguard revenue, he may allow such dealer to pay the taxes payable under the Act in respect of the consignments of tea or jute, in cash to the appropriate Commercial Tax Officer or appropriate Inspector, who shall grant a receipt for the amount paid and every such payment shall be accompanied by a challan in duplicate as mentioned in this sub-rule.".

By order of the Governor,

N. P. BAGCHI,

Dy Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF HEALTH AND FAMILY PLANNING

Public Health

NOTIFICATIONS

No. PH/2376/6M-2/74.—18th September 1974. — In pursuance of clause (e) of sub-section (1) of section 7 of the West Bengal Mining Settlements (Health and Welfare) Act, 1964 (West Ben. Act XXV of 1964), the Governor is pleased hereby to appoint the following persons to be the members of the Asansol Mines Board of Health, namely:

Under sub-clause (i)

1. The District Magistrate, Burdwan.

Under sub-clause (ii)

2. Shri Gopal Mondal, Member, Ukhra Legislative Assembly Constituency.
3. Shri Amarendra Mandal, Member, Jamuria Legislative Assembly Constituency.

Under sub-clause (iii)

4. Shri Narayan Choudhury, Chairman, Burdwan Zilla Parishad.

Under sub-clause (iv)

5. Shrimati Chitra Banerjee, Netaji Subhas Road, Asansol.

Under sub-clause (v)

6. Shri Kalyan Roy, M.P.
7. Shri Sukumar Bandopadhyaya, M.L.A.

Under sub-clause (vi)

8. Shri K. C. Das, Union Board President, Puranahat, post office Burnpur, district Burdwan.
9. Shri Ramdas Banerjee, M.L.A., Raha Lane, post office Asansol, district Burdwan.
10. Dr. Jaygopal Sharma, Rotunda Clinic, G. T. Road, Asansol, district Burdwan.

By order of the Governor,
A. SEN,
Secy. to the Govt. of West Bengal.

No. PH/2377/6M-2/74.—18th September 1974. — Whereas the Asansol Mines Board of Health was superseded under this department order No. PH/3007/2A-4/72 1, dated the 20th September 1972, for a period of two years with effect from the 20th September 1972;

And whereas the said period of supersession expires on the 19th September 1974;

Now, therefore, in exercise of the power conferred by clause (b) of sub-section (1) of section 45 of the West Bengal Mining Settlements (Health and Welfare) Act, 1964 (West Ben. Act XXV of 1964), the Governor is pleased hereby to re-establish the said Asansol Mines Board of Health with effect from the 20th September 1974, with the following members, namely:

(a) Nominated under clause (a) of sub-section (1) of section 7

1. Shri S. Roy, Controller of Accounts, Coal Mines Authority Limited.

2. Shri B. W. Bijapurkar, Assistant Chief Personnel Officer, Coal Mines Authority Limited.

3. Dr. K. P. Roy, Senior Medical Officer, Coal Mines Authority Limited.

4. Shri B. C. Mishra, Superintendent (Mines), Ratibari Colliery, post office Kalipahari, district Burdwan.

(b) Nominated under clause (b) of sub-section (1) of section 7

5. Shri J. C. Ojha, Sub-Area Manager, Victoria Chanch-Begunia.

(c) Elected under clause (c) of sub-section (1) of section 7

6. Dr. Pankaj Kumar Banerjee.

(d) Under clause (d) of sub-section (1) of section 7

7. Coal Mines Welfare Commissioner (ex officio)

(e) Appointed under clause (e) of sub-section (1) of section 7

Under sub-clause (i)

8. The District Magistrate, Burdwan.

Under sub-clause (ii)

9. Shri Gopal Mondal, M.L.A.

10. Shri Amarendra Mandal, M.L.A.

Under sub-clause (iii)

11. Shri Narayan Choudhury, Chairman, Burdwan Zilla Parishad.

Under sub-clause (iv)

12. Shrimati Chitra Banerjee.

Under sub-clause (v)

13. Shri Kalyan Roy, M.P.

14. Shri Sukumar Bandopadhyaya, M.L.A.

Under sub-clause (vi)

15. Shri K. C. Das.

16. Shri Ramdas Banerjee, M.L.A.

17. Dr. Jaygopal Sharma.

By order of the Governor,
A. SEN,
Secy. to the Govt. of West Bengal.

No. PH/2378/6M-2/74.—18th September 1974.—In exercise of the power conferred by section 8 of the West Bengal Mining Settlements (Health and Welfare) Act, 1964 (West Ben. Act XXV of 1964), the Governor is pleased hereby to appoint the District Magistrate, Burdwan, a member of the Asansol Mines Board of Health, re-established under this department notification No. PH/2377/6M-2/74, dated the 18th September 1974, to be the Chairman of the said Board.

By order of the Governor,
A. SEN,
Secy. to the Govt. of West Bengal.

No. PH/2379/6M-2/74.—18th September 1974.—In exercise of the power conferred by section 8 of the West Bengal Mining Settlements (Health and Welfare) Act, 1964 (West Ben. Act XXV of 1964), the Governor is pleased to appoint Dr. Jaygopal Sharma, a member of the Asansol Mines Board of Health, re-established under this department notification No. PH/2377/6M-2/74, dated the 18th September 1974, to be the Vice-Chairman of the said Board.

By order of the Governor,
A. SEN,
Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Secondary

NOTIFICATION

No. 1180Edn(s).—18th September 1974.—In exercise of the power conferred by rule 1 of order 27 of the Code of Civil Procedure, 1908 (Act 5 of 1908), the Governor is pleased hereby to appoint Dr. Vivekananda Deb, Hindi Education Officer, Education Directorate, West Bengal, who is acquianted with the facts of the case, to sign and verify the written statements in the matter of Shri Baidyanath Mondal verses State of West Bengal (Defendant), being the title suit No 439 of 1973 in the Court of the Munsif at Sealdah.

In exercise of the power conferred by rule 2 of order 27 of the Code of Civil Procedure, 1908 (Act 5 of 1908), the Governor is also pleased hereby to authorise the said Dr. Vivekananda Deb, Hindi Education Officer, Education Directorate, West Bengal, in respect of the said matter of Shri Baidyanath Mondal (Plaintiff) verses State of West Bengal (Defendant).

By order of the Governor,
S N. CHOWDHURY,
Dy. Secy. to the Govt. of West Bengal.

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GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

CALCUTTA.—No. 19492-L.A.(ii)/3M-131/74.—18th September 1974.—Whereas an area of 0.6394 hectare (1.5729 acre) of land at premises No. 10, Mathur Babu Lane (formerly Kulia Tangra 3rd Lane), Calcutta, in Ward No. 59 of the Calcutta Municipality described in the schedule below has been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under the said section 3(1A) of the Act for the purpose of increasing employment opportunities for the people by establishing an industrial estate, namely, for the establishment of an Industrial Estate;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid.

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Ben. Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the First Land Acquisition Collector, Calcutta, at No. 5, Bankshall Street, Calcutta.

Description of Land

Land measuring, more or less, 1.5729 acre equivalent to 0.6394 hectare in premises No. 10 Mathur Babu Lane (formerly Kulia Tangra 3rd Lane) in Ward No. 59 of the Calcutta Municipality in the city of Calcutta and bounded on the—

North—By premises No. 27, Canal South Road, Calcutta.

East—By Mathur Babu Lane (formerly Kulia Tangra 3rd Lane), Calcutta.

South—By premises No. 9, Mathur Babu Lane and premises No. 25, Canal South Road, Calcutta.

West—By premises No. 25, Canal South Road, Calcutta.

By order of the Governor,
S. GHOSH,
Spl. Officer and Dy. Secy. (ex officio)
to the Govt. of West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Govt. Press, Alipore

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The Calcutta Gazette

Extraordinary

Published by Authority

BHADRA 28] THURSDAY, SEPT. 19, 1974 [SAKA 1896

PART IA.—Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India, and other Election Notifications published for general information. Orders and Notifications which have originally been published in the "Gazette of India" are only republished.

ELECTION COMMISSION OF INDIA

New Delhi, the 24th August 1974.

CORRIGENDUM

No. 154/WB/74.—In the Election Commission of India notification No. 154/WB/74, dated the 14th August 1974, the words "Industries Commissioner and Secretary, Commerce and Industries Department" occurring after "Shri S. S Varma" may be substituted by the words "Industries Commissioner and ex officio Secretary, Commerce and Industries Department"

By order,
B N. BHARDWAJ
Secy. to the Election Commission of India

NOTIFICATION

New Delhi, the 14th August 1974.

No. 154/WB/74—In exercise of the power conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission of India, in consultation with the Government of West Bengal, hereby nominates Shri S. S. Varma, Industries Commissioner and Secretary, Commerce and Industries Department, Government of West Bengal, as the Chief Electoral Officer for the State of West Bengal, vice Shri D. K. Guha, with effect from the date he takes charge of the office.

By order,

B. N. BHARDWAJ,

Secy. to the Election Commission of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

General Administration

NOTIFICATION

No. 6716-GA/3J-3/74.—19th September 1974.—In exercise of the power conferred by sub-section (3) of section 7 of the Code of Criminal Procedure, 1973 (2 of 1974), and in supersession of all previous notifications relating to the area included within the sadar subdivision of the Jalpaiguri district and to the boundaries of that area, the Governor is pleased hereby to declare that on and from the 19th September 1974 the limits of that subdivision shall comprise the local areas included within the jurisdiction of the following police-stations specified from time to time in notifications issued under clause (s) of section 2 of the said Code :

(1) Kotowali.
(2) Rajganj.
(3) Mal
(4) Matelli.
(5) Nagrakata.
(6) Mainaguri.
(7) Dhupguri.
(8) Banarhat.

By order of the Governor,
B. MUKHOPADHYAY,
Spl. Secy. to the Govt. of West Bengal.

JUDICIAL DEPARTMENT

Judicial

NOTIFICATION

No. 11249-J.—19th September 1974.—In exercise of the power conferred by sub-section (1) of section 13 of the Bengal, Agra and Assam Civil Courts Act, 1887 (XII of 1887), the Governor is pleased hereby to make, on and from the 19th September 1974, the following amendment in this department notification No. 6028-J, dated the 3rd November 1947, published at page 294 of Part I of the "Calcutta Gazette' of the 6th November 1947, as subsequently modified (hereinafter referred to as the said notification), namely :—

Amendment

In the schedule to the said notification, in the column under the heading "Names of police-stations" against the entry "Courts of Munsifs at Jalpaiguri" in the column under the heading "Names of Courts of Munsifs", after entry No. (7) add the following new entry, namely :—

"(8) Banarhat.".

By order of the Governor,
B. N. MAITRA,
Secy. to the Govt. of West Bengal.

Registration

NOTIFICATION

No. 2235-Regn.—19th September 1974.—In pursuance of sub-section (1) of section 5 of the Registration Act, 1908 (XVI of 1908), the Governor is pleased hereby to make, with effect from the 19th September 1974, the following amendment in this department notification No. 1343-Regn, dated the 10th October 1964, published at pages 3105-3106a of Part I of the "Calcutta Gazette, Extraordinary", dated the 13th October 1964 (hereinafter referred to as the said notification), namely :—

In statement 'B' appended to the said notification, for the entry in column 3, under the heading "Jurisdiction", corresponding to the entry "Maynaguri" in column 2, under the heading "Names of Registration Sub-Districts within Registration District Jalpaiguri", substitute the entry, "P.S. Maynaguri, Dhupguri, Mal, Nagrakota, Mitiali and Banarhat".

By order of the Governor,
B. N. MAITRA,
Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Parliamentary Affairs

NOTIFICATION

No. 221-P.A.—20th September 1974.—The following notification by the Secretary to the Governor of West Bengal is hereby published for general information:

"NOTIFICATION

No. 3676-S.—13th September 1974.—The President has assented to the West Bengal Primary Education Bill, 1973.

P. K. SARKAR,

Secretary to the Governor, West Bengal."

By order of the Governor,

S. DATTA,

Dy. Secy. to the Govt. of West Bengal.

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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 2231-L.—20th September 1974. –The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information:—

West Bengal Act XLIII of 1973

THE WEST BENGAL PRIMARY EDUCATION ACT, 1973.

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West Bengal Act XLIII of 1973

THE WEST BENGAL PRIMARY EDUCATION ACT, 1973.

[*Passed by the West Bengal Legislature.*]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary,* of the 20th September, 1974.]

An Act to make better provision for the development, expansion, management and control of primary education with a view to making it universal, free and compulsory.

WHEREAS it is expedient to make better provision for the development, expansion, management and control of primary education with a view to making it universal, free and compulsory;

It is hereby enacted in the Twenty-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

PART I

CHAPTER I

Preliminary

Short title, extent and commencement.

1. (*1*) This Act may be called the West Bengal Primary Education Act, 1973.

(*2*) It extends to the whole of West Bengal.

(*3*) It shall come into force in such areas and on such dates as the State Government may, by notification, appoint and different dates may be appointed for different areas or for different provisions of this Act.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*i*) "attendance" at a school means presence for instruction at a primary school for so many days in a school year and at such time or times on each day of attendance as may be required by the prescribed educational authority;

(*ii*) "Board" means the West Bengal Board of Primary Education established under this Act;

(*iii*) "Calcutta" means Calcutta as defined in the Calcutta Municipal Act, 1951; West Ben. Act XXXIII of 1951.

(*iv*) "Chairman" means the Chairman of a Primary School Council;

(*v*) "child" means a boy or girl who has completed six but not eleven years of age at the beginning of a school year:

Provided that a boy or girl who completes six years of age within ninety days from the beginning of a school year shall be deemed to be a child;

(*vi*) "Director" means the Director of Public Instruction, Government of West Bengal;

The West Bengal Primary Education Act, 1973.

(Part I.—Chapter I.—Preliminary.—Section 2.)

(*vii*) "District Inspector of Schools (Primary Education)", "District Officer for Physical Education and Youth Welfare", "District Social Education Officer" and "District Special Officer for Scheduled Castes and Tribes Welfare" mean the respective officers designated as such by the State Government;

(*viii*) "District School Board" means a District School Board established under the Bengal (Rural) Primary Education Act, 1930; Ben. Act VII of 1930.

(*ix*) "guardian" means any person to whom the care, nurture or custody of any child falls by law or by natural right or recognised usage, or who has accepted or assumed the care, nurture or custody of any child or to whom the care or custody of any child has been entrusted by any lawful authority;

(*x*) "hill area" means the area included within the district of Darjeeling excluding the Siliguri Sub-division;

(*xi*) "Junior Basic Training Institution" includes a Primary Training School and a Senior Teachers' Training School for women recognised by the Director;

(*xii*) "linguistic minority community" means a community whose mother tongue is any language other than Bengali;

(*xiii*) "municipality" means any place in which the Bengal Municipal Act, 1932 or the Chandernagore Municipal Act, 1955 or the Howrah Municipal Act, 1965 is in force and includes an area constituted by the State Government as a notified area under section 93A of the Bengal Municipal Act, 1932; Ben. Act XV of 1932. West Ben. Act XVIII of 1955. West Ben. Act XVII of 1965.

(*xiv*) "non-specified municipality" means a municipality other than a specified municipality;

(*xv*) "notification" means a notification published in the *Official Gazette;*

(*xvi*) "President" means the President of the West Bengal Board of Primary Education;

(*xvii*) "primary education" means education in such subjects and up to such standard as may be prescribed;

(*xviii*) "primary school" means a school or a department of a school giving instruction in primary education recognised or deemed to be recognised as a primary school under this Act;

(*xix*) "Primary School Council" means a Primary School Council established under this Act;

(*xx*) "prescribed" means prescribed by rules made by the State Government under this Act;

(*xxi*) "school year" means the year beginning with such date as the Board may, with the previous approval of the State Government, fix;

(*xxii*) "specified municipality" means a municipality or a group of two or more municipalities specified by the State Government by notification for the purposes of this Act;

(*xxiii*) "Vice-Chairman" means the Vice-Chairman of the Primary School Council;

(*xxiv*) "Vice-President" means the Vice-President of the West Bengal Board of Primary Education;

(*xxv*) "year" means a year beginning on the first day of April.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter II.—The Board.—Sections 3, 4.)

PART II

CHAPTER II

The Board

Establishment and incorporation of the West Bengal Board of Primary Education.

3. (*1*) The State Government shall, by notification, establish, with effect from such date as may be specified in the notification, a Board to be called the West Bengal Board of Primary Education.

(*2*) The Board shall be a body corporate with perpetual succession and a common seal, shall be entitled to acquire, hold and dispose of property, to enter into contracts and to do all other things necessary for the purposes of this Act, and shall by its corporate name sue and be sued.

Composition of the Board.

4. The Board shall consist of the following members, namely:—

(*a*) an officer not below the rank of a Deputy Director of Public Instruction, Government of West Bengal, to be nominated by the State Government;

(*b*) two teachers of Junior Basic Training Institutions, of whom one shall be the head of one such Institution, elected in the prescribed manner by the teachers of Junior Basic Training Institutions from amongst themselves;

(*c*) eight teachers of primary schools of whom at least two shall be women, elected in the prescribed manner in accordance with the system of proportional representation by means of the single transferable vote by the members of the Primary School Councils who are representatives of teachers of primary schools in Primary School Councils;

(*d*) one person elected in the prescribed manner by the Councillors of the Calcutta Corporation;

(*e*) four persons elected in the prescribed manner in accordance with the system of proportional representation by means of the single transferable vote by the Commissioners of municipalities;

(*f*) three persons elected in the prescribed manner in accordance with the system of proportional representation by means of the single transferable vote by the members of the *Zilla Parishads*;

(*g*) two members from each of the districts of Midnapore and 24-Parganas and one member from each of the other districts, from among the members of the West Bengal Legislative Assembly elected in the prescribed manner by the members of the Assembly from that district and one member from Calcutta elected by the members of the Assembly from Calcutta;

(*h*) twelve persons interested in education nominated by the State Government of whom at least—

(*i*) one shall be a woman;

(*ii*) one shall be a member of the Anglo-Indian Community;

(*iii*) one shall be a member of a Scheduled Caste;

(*iv*) one shall be a member of a Scheduled Tribe;

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter II.—The Board.—Sections 5-9.)

(*v*) one shall be a member of any of the linguistic minority communities in the State;

(*vi*) one shall be an inhabitant of a hill area;

(*vii*) one shall be a medical practitioner;

(*viii*) one shall be a member of the West Bengal Board of Secondary Education.

Appointment in default of election.

5. (*1*) If by such date as may be fixed by the State Government in this behalf any of the authorities fails to elect a member or members as provided in section 4, the State Government shall appoint member or members qualified for election by such authority:

Provided that in the case of the State Legislative Assembly, if the said Assembly has been dissolved, the State Government shall appoint sixteen suitable persons to be members to hold office until the said Assembly is reconstituted and sixteen representatives are elected by the members thereof.

(*2*) A person appointed under this section shall be deemed to be a member of the Board duly elected under section 4.

Publication of names of members of the Board.

6. The name of every person elected or nominated under section 4 or appointed under section 5 as a member of the Board shall be published by the State Government in the *Official Gazette* as soon as may be after the election, nomination or appointment, as the case may be.

Term of office of members of the Board.

7. (*1*) Subject to the provisions of this Act, every elected, nominated or appointed member of the Board shall hold office for a term of four years from the date of the first meeting of the Board at which a quorum is present and may, on expiration of such term, be re-elected, re-nominated or re-appointed.

(*2*) Notwithstanding the expiration of the term of four years mentioned in sub-section (*1*), every elected, nominated or appointed member of the Board shall continue to hold office until the first meeting of the newly-formed Board at which a quorum is present.

Casual vacancies.

8. If any member of the Board dies or resigns his office or ceases to be a member for any other reason the vacancy shall be filled up by fresh election or nomination under section 4 and the member so elected or nominated shall hold office for the unexpired portion of the term of the member whose place he fills:

Provided that no election shall be held to fill a vacancy of a member occurring within six months from the date on which the term of the office of the member expires.

President and Vice-President of the Board.

9. (*1*) There shall be a President and a Vice-President of the Board.

(*2*) The President and the Vice-President shall be elected by the members of the Board from among themselves in such manner as may be prescribed and shall, subject to the provisions of section 10, hold office for a term of four years mentioned in section 7:

Provided that until a President is elected by the members of the Board for the first time the State Government may

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter II.—The Board.—Sections 10-12.)

appoint a person to be the President of the Board and the person so appointed shall hold office until a President is elected by the members of the Board and assumes office.

(*3*) The President and the Vice-President shall receive such pay or allowances or both as may be fixed by the State Government.

(*4*) The President may resign his office by giving notice in writing to the State Government and when such resignation is accepted by the State Government the President shall be deemed to have vacated his office.

(*5*) The Vice-President may resign his office by giving notice in writing to the President and when such resignation is accepted by the President the Vice-President shall be deemed to have vacated his office.

Removal of the President and the Vice-President.

10. If at a meeting of the Board specially convened for the purpose a resolution is passed against the President or the Vice-President by a majority of the then members of the Board and by a majority of not less than two-thirds of the members of the Board present and voting such resolution shall have the effect of removing the President or the Vice-President, as the case may be, from his office as from the date on which the resolution is so passed.

Discharge of President's functions in certain contingencies.

11. (*1*) (*a*) In the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or removal, or otherwise, or

(*b*) when the President is unable to discharge his functions, owing to absence, illness or any other cause,

the Vice-President shall exercise the powers, perform the functions and discharge the duties of the President until a new President is elected and assumes office or until the President resumes his duties, as the case may be.

(*2*) In the event of the occurrence of vacancies in the offices of both the President and the Vice-President the State Government may appoint a member of the Board to exercise the powers, perform the functions and discharge the duties of the President until a President or a Vice-President is elected and assumes office.

(*3*) A President elected to fill a casual vacancy shall hold office for the unexpired portion of the term of the President whose place he fills.

Disqualifications for membership.

12. (*1*) A person shall be disqualified for being elected, nominated or appointed a member of the Board if he—

(*a*) has been adjudged by a competent Court to be of unsound mind;

(*b*) is an undischarged insolvent;

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter II.—The Board.—Sections 13, 14.)

(*c*) being a discharged insolvent, has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part;

(*d*) has been convicted by a Court of an offence involving moral turpitude;

(*e*) directly, or indirectly by himself or his partner,—

(*i*) has or had any share or interest in any text-book approved by the Board or published by or under the authority of the Board, or

(*ii*) has any interest in any work done by order of, or in any contract entered into on behalf of, the Board.

(*2*) If an elected, nominated or appointed member of the Board becomes, after his election, nomination or appointment, as the case may be, subject to any of the disqualifications specified in sub-section (*1*), his membership shall thereupon cease with effect from such date as the State Government may direct.

Resignation and removal of members.

13. (*1*) A member of the Board may resign his office by giving notice in writing to the President and when such resignation is accepted by the Board such member shall be deemed to have vacated his seat.

(*2*) The State Government may, by notification, remove any member if he—

(*a*) refuses to act or becomes incapable of acting as a member of the Board, or

(*b*) acts in a manner prejudicial to the interests of the Board, or

(*c*) without obtaining the consent of the President is absent from four consecutive meetings of the Board:

Provided that before such removal the member concerned shall be given an opportunity of being heard.

Meetings of the Board.

14. (*1*) The Board shall meet at least three times a year.

(*2*) Every meeting of the Board shall be convened by the Secretary to the Board under instructions of the President:

Provided that the President shall, when required in writing by one-third of the members of the Board to convene a meeting, direct the Secretary to do so within seven days from the date of receipt of the requisition and if no meeting is convened within the said period the members aforesaid may convene a meeting after giving seven clear days' notice to the President and other members of the Board.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter II.—The Board.—Sections 15-18.)

Conduct of meetings.

15. (*1*) The President or in his absence the Vice-President shall preside at a meeting of the Board and in the absence of both the President and the Vice-President one of the members of the Board elected from amongst those present shall preside at the meeting of the Board, and the President or the Vice-President or such member shall be entitled to vote on any matter and shall have a second or casting vote in every case of equality of votes.

(*2*) Subject to the provisions of sub-section (*1*), the Board shall have the power to regulate the procedure for the conduct of its business.

Restriction on voting.

16. (*1*) No member of the Board shall vote on any matter in which he has any personal or pecuniary interest or if it relates to any primary school of which he is either a teacher or a member of the managing committee.

(*2*) The President or the Vice-President or the member presiding at a meeting of the Board shall decide any question arising under sub-section (*1*) and his decision thereon shall be final.

Secretary, Finance Officer and other persons in the service of the Board.

17. (*1*) The Board shall have a Secretary who shall be appointed by the State Government.

(*2*) The State Government may, if it so thinks fit, appoint a Finance Officer for the Board.

(*3*) The Board may, subject to the prior approval of the State Government, create such posts of officers and employees as it considers necessary for carrying out the purposes of this Act:

Provided that no officer or employee shall be appointed to any post carrying a monthly salary of three hundred rupees or more without the prior approval of the State Government.

(*4*) The terms and conditions of service and the scales of pay and allowances, if any, shall, as respect the Secretary, the Finance Officer, if any, and other officers and employees, be such as may be fixed by the State Government.

(*5*) The pay and allowances of the Secretary and the Finance Officer, if any, shall be paid out of the fund of the Board.

(*6*) Subject to the general control and supervision of the President, the Secretary shall be the principal administrative officer of the Board. He shall be entitled to attend and speak at any meeting of the Board, but shall not be entitled to vote.

(*7*) The Finance Officer shall perform such functions and discharge such duties as may be prescribed.

(*8*) Subject to prescribed conditions, the Board may award any punishment including dismissal or removal of the members of its staff other than the Secretary and the Finance Officer.

Travelling allowance.

18. Such members of the Board or of any Committee thereof as are not in the service of the State Government shall, in respect of expenses incurred by them in attending meetings of the Board, or of any such Committee, or in exercising any powers or performing any duties conferred or imposed upon them by or under this Act, be paid by the Board such allowances and at such rates as may be prescribed.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter III.—Powers and functions of the Board and the President.—Section 19.)

CHAPTER III

Powers and functions of the Board and the President

Powers and functions of the Board.

19. (*1*) Subject to any general or special orders of the State Government, the provisions of this Act and any rules made thereunder, the Board shall have generally the power to guide, supervise and control primary education, and in particular the power—

(*a*) to prepare and maintain a register of primary schools;

(*b*) to provide by regulations, after considering the recommendations, if any, of the Curriculum Committee, the syllabus, the courses of studies to be followed and the books to be studied in primary schools and for examinations conducted by the Primary School Councils;

(*c*) to maintain and publish, from time to time, lists of books approved for use in primary schools and for examinations conducted by the Primary School Councils and to remove the name of any such book from any such list;

(*d*) to institute with the approval of the State Government such examinations as it may think fit, and to make regulations on all aspects connected with such examinations;

(*e*) to make regulations regarding the conditions to be fulfilled by candidates presenting themselves for examinations conducted by the Primary School Councils;

(*f*) to exercise general supervision and control over the work of the Primary School Councils and for that purpose to issue such instructions to the Primary School Councils relating to primary education as it may think fit and to call for reports from the Primary School Councils on matters relating to primary education;

(*g*) to administer the West Bengal Board of Primary Education Fund;

(*h*) to institute and administer such provident funds as may be prescribed;

(*i*) to make regulations relating to the conduct, discipline and appeal in respect of the members of the staff of the Board;

(*j*) to make regulations relating to the conduct and discipline in respect of teachers and non-teaching staff of primary schools under the Primary School Councils;

(*k*) to transfer any teacher or non-teaching staff from a primary school within the jurisdiction of one Primary School Council to a primary school within the jurisdiction of another Primary School Council;

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(Part II.—Chapter III.—Powers and functions of the Board and the President.—Section 20.)

(*l*) to make regulations determining the mode of teaching and the medium of instruction to be followed in primary schools;

(*m*) to make regulations for deciding any dispute relating to primary schools but not relating to teaching or non-teaching staff of such schools ;

(*n*) to determine, with the approval of the Director, the hours of instruction and the number and duration of vacations ;

(*o*) to hear appeal in the prescribed manner from the decision of a Primary School Council granting or refusing to grant recognition to any primary school ;

(*p*) to advise the State Government on all matters relating to primary education referred to it by the State Government ;

(*q*) to grant financial aids to Primary School Councils for the development of primary education or for any other purpose ;

(*r*) to perform such other functions and discharge such other duties as may be prescribed.

(*2*) Subject to the provisions of sub-section (*1*), the Board shall have the power to make regulations in respect of any matter for the proper exercise of its power under this Act:

Provided that no regulation shall be valid unless it is approved by the State Government.

(*3*) The State Government may, in according the approval referred to in the proviso to sub-section (*2*), make such additions, alterations and modifications therein as it thinks fit:

Provided that before making any such additions, alterations or modifications the State Government may, if it thinks fit, give the Board an opportunity to express its views thereon within such period as may be specified by the State Government.

(*4*) All regulations approved by the State Government shall be published in the *Official Gazette*.

Powers and duties of the President

20. (*1*) The President shall be responsible for carrying out and giving effect to the decisions of the Board and of any Committee thereof.

(*2*) The President may, in any emergency, exercise any of the powers of the Board, provided, however, that he shall not act contrary to any decision of the Board, and shall within

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(Part II.—Chapter III.—Powers and functions of the Board and the President.—Section 21.—Chapter IV.—Committees of the Board.—Sections 22, 23.)

one month, report to the Board the action taken by him together with reasons therefor.

(3) The President shall—

(a) exercise general supervision and control over the Secretary, the Finance Officer, if any, and the staff appointed by the Board and post and transfer the members of the staff;

(b) sanction all claims of travelling allowance;

(c) take such other action not inconsistent with any decision of the Board as he considers necessary for the proper functioning of the Board under this Act.

Powers and duties of the Vice-President.

21. The Vice-President shall exercise such powers, perform such functions and discharge such duties as may be delegated to him by the President in writing with the approval of the Board.

CHAPTER IV

Committees of the Board

Committees.

22. Within such time as may be prescribed after the Board is established, the Board shall constitute the following Committees, namely:—

(a) the Curriculum Committee;

(b) the Evaluation Committee;

(c) the Development Committee;

(d) the Finance Committee.

Curriculum Committee.

23. (1) The Curriculum Committee shall consist of the following members, namely:—

(a) the President;

(b) an officer not below the rank of a Deputy Director of Public Instruction, Government of West Bengal, to be nominated by the State Government;

(c) the Principal, State Institute of Education;

(d) one of the two members of the Board referred to in clause (b) of section 4 elected in the prescribed manner by the Board;

(e) three teachers of primary schools elected in the prescribed manner by the Board;

(f) one teacher of a secondary school elected in the prescribed manner by the West Bengal Board of Secondary Education;

(g) two persons having special knowledge of science, art, crafts or primary education, who may or may not be members of the Board, nominated by State Government;

(h) two out of sixteen members of the Board referred to in clause (g) of section 4 elected in the prescribed manner by the Board.

(2) The President shall be the Chairman of the Curriculum Committee and the Seceretary to the Board shall be the Secretary to the said Committee.

(3) It shall be the duty of the Curriculum Committee to—

(a) advise the Board about the syllabus and courses of studies to be followed in primary schools as well as for examinations instituted or conducted by the Board or the Primary School Councils;

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(Part II.—Chapter IV.—Committees of the Board.—Section 24.)

(*b*) advise the Board on any matter relating to the syllabus, courses of studies or books to be studied, as may be referred to it by the Board.

(*4*) The Curriculum Committee may appoint such Sub-Committee or Sub-Committees as it may consider necessary to advise it upon any matter referred to in sub-section (*3*) and it shall not be necessary for any member of such a Sub-Committee to be a member of the said Committee or the Board.

Evaluation Committee.

24. (*1*) The Evaluation Committee shall consist of the following members, namely:—

(*a*) the President;

(*b*) an officer not below the rank of a Deputy Director of Public Instruction, Government of West Bengal, to be nominated by the State Government;

(*c*) the Principal, State Institute of Education;

(*d*) the Principal of a Post-Graduate Basic Training College, elected in the prescribed manner by the Board;

(*e*) one of the two members of the Board referred to in clause (*b*) of section 4 elected in the prescribed manner by the Board;

(*f*) the Evaluation Officer attached to the Bureau of Educational and Psychological Research or any other officer of the State Government having knowledge of evaluation, nominated by the Director;

(*g*) one teacher of a High Shool elected in the prescribed manner by the West Bengal Board of Secondary Education;

(*h*) three teachers of primary schools elected in the prescribed manner by the Board;

(*i*) three persons having special knowledge in primary education or evaluation, who may or may not be members of the Board, nominated by the State Government;

(*j*) two out of sixteen members of the Board referred to in clause (*g*) of section 4 elected in the prescribed manner by the Board.

(*2*) The President shall be the Chairman of the Evaluation Committee and the Secretary to the Board shall be the Secretary to the said Committee.

(*3*) It shall be the duty of the Evaluation Committee—

(*a*) to assess from time to time the standard of instruction in a primary school with reference to the norms and objectives set by the Board and to suggest improvement on the basis of such assessment;

(*b*) to advise the Board on such other matter relating to progress, improvement and development of the academic aspect of primary education as may be assigned to it by the Board.

(*4*) The Evaluation Committee may appoint such Sub-Committee or Sub-Committees as it may consider necessary to advise it upon any matter referred to in sub-section (*3*) and not more than half of the total members of such Sub-Committee may consist of persons who are not members of the said Committee or the Board.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter IV.—Committees of the Board.—Sections 25, 26.)

Development Committee.

25. (*1*) The Development Committee shall consist of the following members, namely:—

(*a*) the President;

(*b*) an officer of the Education Department, Government of West Bengal, nominated by the State Government;

(*c*) a woman officer of the Education Department, Government of West Bengal, nominated by the State Government;

(*d*) one officer of the Directorate of Health Services, Government of West Bengal, not below the rank of a Deputy Director, nominated by the Director of Health Services, Government of West Bengal;

(*e*) three of the eight members of the Board referred to in clause (*c*) of section 4 elected in the prescribed manner by the Board;

(*f*) the member of the Board referred to in clause (*d*) of section 4;

(*g*) one of the four members of the Board referred to in clause (*e*) of section 4 elected in the prescribed manner by the Board;

(*h*) one of the three members of the Board referred to in clause (*f*) of section 4 elected in the prescribed manner by the Board;

(*i*) two out of the sixteen members of the Board referred to in clause (*g*) of section 4 elected in the prescribed manner by the Board;

(*j*) two persons who may or may not be members of the Board nominated by the State Government.

(*2*) The President shall be the Chairman of the Development Committee and the Secretary to the Board shall be the Secretary to the said Committee.

(*3*) It shall be the duty of the Development Committee to—

(*a*) advise the Board in the matter of improvement and development of primary schools in all aspects, including schemes for universal, free and compulsory education, construction of building, welfare of students and teachers and other staff, good relationship between guardians, teachers and students, community participation in schools, meals supplied in schools and the health of the students in schools;

(*b*) advise on any other matter assigned to it by the Board relating to progress, development and improvement of primary education excepting those allotted to the Curriculum or the Evaluation Committee.

Finance Committee.

26. (*1*) The Finance Committee shall consist of the following members, namely:—

(*a*) the President;

(*b*) the Secretary to the Board;

(*c*) two persons having knowledge in financial matters nominated by the State Government;

(*d*) two members of the Board elected in the prescribed manner by the members of the Board of whom one shall be a teacher of a Primary School.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter IV.—Committees of the Board.—Sections 27-29.—Chapter V.—Finance and audit.—Section 30.)

(2) The President shall be the Chairman of the Finance Committee and the Finance Officer, or if there is no Finance Officer, the Secretary to the Board shall be the Secretary to the said Committee.

(3) It shall be the duty of the Finance Committee to prepare the budget of the Board, to advise the Board on all financial matters and to perform such other functions as may be prescribed.

Power to constitute other Committees.

27. (1) The Board may, with the approval of the State Government and subject to such directions as the State Government may issue in this behalf, constitute such other Committee or Committees as it may think fit and any such Committee may be composed wholly or in part of members of the Board.

(2) The Board may, with the approval of the State Government, delegate to any such Committee any of its powers or functions and may in like manner withdraw from it any such power or function.

Term of office of members of the Committees.

28. (1) An elected, a nominated or an appointed member of any Committee who is also a member of the Board, shall continue to hold office until he ceases to be a member of the Board.

(2) An elected, a nominated or an appointed member of any Committee who is not a member of the Board, shall hold office for such term, as may be prescribed and may on expiration of such term, be re-elected, re-nominated or re-appointed:

Provided that notwithstanding the expiration of the said term, an elected, a nominated or an appointed member of a Committee shall continue to hold office until the vacancy caused by the expiration of the said term has been filled in accordance with the provisions of this Act.

(3) The provisions of section 5 and of sections 8, 12 and 13 shall apply, *mutatis mutandis*, to members of any Committee as if reference to the Board or the President were references to such Committee or the Chairman of such Committee.

Power of the State Government to dissolve Committee.

29. The State Government may, on the recommendations of the Board, if it so thinks fit, dissolve any of the Committees of the Board and may direct the Board to take steps for the reconstitution of the Committee so dissolved.

CHAPTER V

Finance and audit

Annual report and budget estimate.

30. (1) The President shall place before the annual meeting of the Board held in the year following the year in which it is established and before every annual meeting thereafter to be held in the month of August in each year a report on the working of the Board during the last preceding year, together with a budget estimate showing in such form as may be prescribed, the anticipated income and expenditure of the Board during the year immediately succeeding the one in which such annual meeting is held.

(2) The report shall be forwarded to the State Government within one month of the presentation thereof before the annual meeting of the Board together with such comments thereon as the Board may think fit to make.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter V.—Finance and audit.—Sections 31, 32.)

(*3*) The budget estimate shall after confirmation by the Board be forwarded to the State Government within such time as may be prescribed.

(*4*) The State Government shall within two months of the receipt of the budget estimate either accord its approval to the same or return it to the Board with such comments and suggestions as it deems necessary if in its opinion such estimate—

(*a*) is not reasonably accurate with reference to ascertainable facts or shows a deficit in the closing balance;

(*b*) includes new items of recurring expenditure which are likely to impose upon the Board in the future financial liabilities which the Board is not likely to be able to meet from its income; or

(*c*) includes provisions for expenditure which are not in accordance with the provisions of this Act.

(*5*) If the budget estimate is returned under sub-section (*4*), the Board shall consider the comments and suggestions made by the State Government and may, if it thinks fit, revise the said estimate. The Board shall then resubmit the budget estimate as so revised to the State Government, or, the Board shall, if it does not think fit to revise the estimate, resubmit it in its original form to the State Government within one month of receiving it together with its replies on the comments and suggestions made by the State Government.

(*6*) If the State Government does not approve of the budget estimate as revised by the Board or if the budget estimate is returned by the Board without revision, the State Government may amend the budget estimate by making—

(*a*) such modifications as are in its opinion necessary to render the estimate reasonably accurate with reference to ascertainable facts or to balance the income and the expenditure;

(*b*) additions, alterations or modifications in any provision relating to new expenditure of a recurring nature;

(*c*) any alteration or modification in any provision for expenditure which, in its opinion, is not in accordance with the provisions of this Act,

and shall approve the budget estimate so amended and forward it to the Board.

(*7*) If the State Government does not accord its approval to the said estimate within two months of the receipt thereof for such approval or within two months of the resubmission thereof with or without revision, the said estimate shall be deemed to have been approved by the State Government.

Payment to the Board by the State Government.

31. The State Government may, after considering the budget estimates, the accounts of the Board and such other reports as it may call for, make such annual or periodical grants to it as it may think fit.

West Bengal Board of Primary Education Fund.

32. (*1*) The Board shall have a Fund to be called the West Bengal Board of Primary Education Fund to which shall be credited—

(*a*) all sums which may be paid by the State Government;

(*b*) all sums representing income from endowments or from property owned or managed by the Board; and

(*c*) all other sums received by or on behalf of the Board from any other source whatsoever.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter V.—Finance and audit.—Sections 33-35.)

(2) The Fund shall vest in the Board and shall be under its control and shall be held by it in trust for the purposes of this Act.

(3) All monies payable to the credit of the Fund shall forthwith be paid into the Reserve Bank of India to the credit of the Fund, and all cheques drawn on the Fund shall be signed by the President or by such other persons as he may authorise in writing in this behalf.

(4) The Fund shall be maintained, administered and used in the manner prescribed.

Application of the West Bengal Board of Primary Education Fund.

33. No expenditure shall be incurred from the Fund except for the purposes of this Act, and unless such expenditure is provided for in the budget as approved under this Act or can be met by reappropriation sanctioned in the prescribed manner.

Accounts.

34. The Board shall keep an account of all its receipts and expenditure in the manner prescribed.

Audit.

35. (1) The accounts of the Board shall be examined and audited annually in such manner as may be prescribed, by an auditor or auditors appointed by the State Government.

(2) For the purpose of examination and audit under sub-section (1) the auditor may—

(a) require in writing the production before him of any document relating to the Board or the assets thereof which he considers to be necessary for the proper conduct of the audit:

Provided that the Board shall not be bound to submit to the auditor documents, in original, of expenditure in connection with any anti-corruption work and of expenditure for printing of question papers and certificates, but shall, if so required by the auditor, furnish extracts of such documents duly certified by the President as correct after withholding such portion of the documents as will, in the opinion of the President, tend to disclose either the identity or the sources of such expenditure;

(b) require in writing the personal appearance before him of any person accountable for, or having the custody or control of, any such documents to answer any question relating thereto; and

(c) require any person so appearing before him to submit a statement in writing in respect of any such document.

(3) It shall be the duty of the Board and of every member thereof, and of the Secretary, the Finance Officer, if any, and the members of the staff in the service of the Board, to afford to the auditor every facility for the examination and audit of the accounts of the Board and to comply with any requisition made by the auditor under sub-section (2) and with the requirement of any rule made in this behalf.

(4) Any person who wilfully neglects or refuses to comply with a requisition made under sub-section (2) or with the requirement of any rule made in this behalf shall, on conviction, be punishable with fine which may extend to one hundred rupees.

The West Bengal Primary Education Act, 1973.

(Part II.—Chapter V.—Finance and audit.—Section 36.—Part III.—Chapter VI.—The Primary School Councils.—Section 37.)

(5) No complaint in respect of any offence punishable under sub-section (4) shall be made except with the previous sanction of the State Government.

(6) No Magistrate other than a Presidency Magistrate or a Magistrate of the first or second class shall try an offence punishable under sub-section (4).

Audit report.

36. (1) Not more than fourteen days after completion of the audit, the auditor shall submit to the State Government a report on the accounts audited, and shall send a copy thereof to the Board which shall forward it to the State Government together with its observations thereon, within thirty days from the date of receipt of the audit report.

(2) The State Government shall take such action on the audit report as it thinks fit.

PART III

CHAPTER VI

The Primary School Councils

District Primary School Councils.

37. (1) The State Government shall, by notification, establish for each district excluding the areas included in Calcutta and specified municipalities, with effect from such dates as may be specified in the notification, a District Primary School Council bearing the name of the district.

(2) A District Primary School Council shall consist of the following members, namely:—

(a) the District Inspector of Schools, in charge of primary education;

(b) the District Special Officer, Scheduled Castes and Tribes Welfare or where no such officer is posted, the District Tribal Welfare Officer;

(c) the District Social Education Officer;

(d) one member for each sub-division, elected in the prescribed manner by the members of *Anchal Panchayats* within the sub-division:

Provided that the number shall in no case be less than three;

(e) three members, elected in the prescribed manner by the Commissioners of non-specified municipalities within the district:

Provided that in the district of 24-Parganas, four members shall be elected by such municipalities;

(f) three members, elected in the prescribed manner by the members of *Zilla Parishad* of the district;

(g) one teacher of a Junior Basic Training Institution in the district, elected in the prescribed manner by the teachers of such institutions in the district;

(h) three teachers of whom one shall be a woman, elected in the prescribed manner by the teachers of primary schools in each sub-division from amongst themselves:

Provided that the number shall in no case be less than six;

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(Part III.—Chapter VI.—The Primary School Councils.—Section 38.)

(*i*) the members of the West Bengal Legislative Assembly, not being Ministers, representing the constituencies comprised within the territorial jurisdiction of the district concerned;

(*j*) three persons interested in education, nominated by the State Government.

(*3*) A District Primary School Council shall be a body corporate with perpetual succession and a common seal, shall be entitled to acquire, hold and dispose of property, to enter into contracts and to do all other things necessary for the purpose of this Act, and shall by its corporate name sue and be sued.

Calcutta Primary School Council.

38. (*1*) The State Government shall, by notification, establish for Calcutta, with effect from such date as may be specified in the notification, a Primary School Council to be called the Calcutta Primary School Council.

(*2*) The Calcutta Primary School Council shall consist of the following members, namely:—

(*a*) the District Inspector of Schools (Primary Education), Calcutta;

(*b*) the Chairman, Calcutta Metropolitan Development Authority or any person nominated by him;

(*c*) four persons elected in the prescribed manner in accordance with the system of proportional representation by means of the single transferable vote by the Councillors of the Calcutta Corporation;

(*d*) five teachers other than head teachers of whom at least two shall be women, elected in the prescribed manner in accordance with the system of proportional representation by means of the single transferable vote by the teachers of primary schools in Calcutta from amongst themselves;

(*e*) one head teacher elected in the prescribed manner by the head teachers of primary schools in Calcutta from amongst themselves;

(*f*) one teacher elected in the prescribed manner by the teachers of secondary schools in Calcutta from amongst themselves;

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(Part III.—Chapter VI.—The Primary School Councils.—Section 39.)

(g) the members of the West Bengal Legislative Assembly, not being Ministers, representing constituencies comprised within the territorial jurisdiction of the Calcutta Corporation;

(h) six persons interested in education nominated by the State Government, of whom—

(i) one shall be a woman;

(ii) one shall be a member of the Anglo-Indian community;

(iii) two shall be members of the linguistic minority communities in Calcutta.

(3) The Calcutta Primary School Council shall be a body corporate having perpetual succession and a common seal, shall be entitled to acquire, hold and dispose of property, to enter into contracts and to do all other things necessary for the purposes of this Act, and shall by its corporate name sue and be sued.

Municipal Primary School Council.

39. (1) The State Government shall, by notification, establish in each specified municipality, with effect from such date as may be specified in the notification, a Municipal Primary School Council bearing the name of the municipality.

(2) A Municipal Primary School Council shall consist of the following members, namely:—

(a) the District Inspector of Schools, in charge of Primary Education;

(b) the District Social Education Officer;

(c) the Chief Medical Officer of Health of the District or any other Medical Officer of the District nominated by him;

(d) the District Officer for Physical Education and Youth Welfare or any other officer of the Education Department, Government of West Bengal, nominated by the State Government;

(e) four persons elected in the prescribed manner in accordance with the system of proportional representation by means of the single transferable vote by the Commissioners of the municipality concerned;

(f) five teachers of whom one shall be a woman, elected in the prescribed manner in accordance with the system of proportional representation by means of the single transferable vote by the teachers of primary schools within the municipality concerned from amongst themselves;

(g) the members of the West Bengal Legislative Assembly, not being Ministers, representing the constituencies comprised within the territorial jurisdiction of the municipality concerned;

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(Part III.—Chapter VI.—The Primary School Councils.—Sections 40-43.)

(*h*) four persons interested in education nominated by the State Government, of whom—

(*i*) one shall be a woman ;

(*ii*) one shall be a member of a Scheduled Caste or a Scheduled Tribe ;

(*iii*) one shall be a member of any of the linguistic minority communities in the district ;

(*i*) the Chairman of the municipality concerned.

Explanation.—In this clause the expression "Chairman" shall include "Mayor" in the case of the Municipal Corporation of Chandernagore.

(*3*) A Municipal Primary School Council shall be a body corporate having perpetual succession and a common seal, shall be entitled to acquire, hold and dispose of property, to enter into contracts and to do all other things necessary for the purposes of this Act, and shall by its corporate name sue and be sued.

Appointment in default of election.

40. (*1*) If by such date, as may be fixed by the State Government in this behalf, any of the authorities fails to elect a member or members as provided in section 37, section 38 or section 39, the State Government shall appoint member or members qualified for election by such authority.

(*2*) A person appointed under this section shall be deemed to be a member of the Primary School Council duly elected by the authority concerned.

Publication in the *Official Gazette*.

41. The name of every member elected or nominated under section 37, section 38 or section 39 or appointed under section 40 as a member of a Primary School Council shall be published by the State Government in the *Official Gazette* as soon as may be after his election, nomination or appointment, as the case may be.

Term of office of members.

42. (*1*) Subject to the provisions of this Act, every elected, nominated or appointed member of a Primary School Council shall hold office for a term of four years from the date of the first meeting of the Primary School Council at which a quorum is present and may on expiration of such term be re-elected, re-nominated or re-appointed.

(*2*) Notwithstanding the expiration of the term of four years mentioned in sub-section (*1*), every elected, nominated or appointed member of a Primary School Council shall continue to hold office until the first meeting of the newly-formed Primary School Council at which a quorum is present.

asual vacancies

43. If any member of a Primary School Council dies or resigns his office or ceases to be a member for any other reason the vacancy shall be filled up by fresh election or nomination under section 37, section 38 or section 39, as the case may be, and the member so elected or nominated shall hold office for the unexpired portion of the term of the member whose place he fills:

Provided that no election shall be held to fill a vacancy of a member occurring within four months from the date on which the term of the office of the member expires.

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(Part III.—Chapter VI.—The Primary School Councils.—Sections 44-46.)

Chairman and Vice-Chairman of a Primary School Council.

44. (*1*) There shall be a Chairman and a Vice-Chairman of a Primary School Council.

(*2*) The Chairman and the Vice-Chairman shall be elected by the members of the Primary School Council from among themselves in such manner as may be prescribed and shall, subject to the provisions of section 45, hold office for a term of four years mentioned in section 42:

Provided that until a Chairman is elected by the members of the Primary School Council for the first time the State Government may appoint a person to be the Chairman of the Primary School Council and the person so appointed shall hold office until a Chairman is elected by the members of the Primary School Council and assumes office.

(*3*) The Chairman and the Vice-Chairman shall receive such pay or allowances or both as may be fixed by the State Government.

(*4*) The Chairman may resign his office by giving notice in writing to the Primary School Council and when such resignation is accepted by the Primary School Council the Chairman shall be deemed to have vacated his office.

(*5*) The Vice-Chairman may resign his office by giving notice in writing to the Chairman and when such resignation is accepted by the Chairman the Vice-Chairman shall be deemed to have vacated his office.

Removal of the Chairman and the Vice-Chairman.

45. If at a meeting of the Primary School Council specially convened for the purpose a resolution is passed against the Chairman or the Vice-Chairman by a majority of the then members of the Primary School Council and by a majority of not less than two-thirds of the members of the Primary School Council present and voting such resolution shall have the effect of removing the Chairman or the Vice-Chairman, as the case may be, from his office as from the date on which the resolution is so passed.

Discharge of Chairman's functions in certain contingencies.

46. (*1*) (*a*) In the event of the occurrence of any vacancy in the office of the Chairman by reason of his death, resignation or removal, or otherwise, or,

(*b*) when the Chairman is unable to discharge his functions owing to absence, illness or any other cause, the Vice-Chairman shall exercise the powers, perform the functions and discharge the duties of the Chairman until a new Chairman is elected and assumes office or until the Chairman resumes his duties, as the case may be.

(*2*) In the event of the occurrence of vacancies in the offices of both the Chairman and the Vice-Chairman the State Government may appoint a member of the Primary School Council to exercise the powers, perform the functions and discharge the duties of the Chairman until a Chairman or a Vice-Chairman is elected and assumes office.

The West Bengal Primary Education Act, 1973.

(*Part III.—Chapter VI.—The Primary School Councils.—Sections 47-51.*)

(*3*) A Chairman elected to fill a casual vacancy shall hold office for the unexpired portion of the term of the Chairman whose place he fills.

Disqualifications for membership.

47. The provisions of section 12 shall *mutatis mutandis* apply in the case of a member of a Primary School Council.

Resignation of members.

48. A member of a Primary School Council may resign his seat by giving notice in writing to the Chairman and when such resignation is accepted by the Chairman such member shall be deemed to have vacated his seat.

Meetings of the Primary School Council.

49. (*1*) Every Primary School Council shall meet at least three times a year.

(*2*) Every meeting of the Primary School Council shall be convened by the Secretary to the Primary School Council under instructions of the Chairman:

Provided that the Chairman shall, when required in writing by one-third of the members of the Primary School Council to convene a meeting, direct the Secretary to do so within seven days from the receipt of the requisition and if no meeting is convened within the said period the members aforesaid may convene a meeting after giving seven clear days' notice to the Chairman and other members of the Primary School Council.

Conduct of meetings.

50. (*1*) The Chairman or in his absence the Vice-Chairman shall preside at a meeting of the Primary School Council and in the absence of both the Chairman and the Vice-Chairman one of the members of the Primary School Council elected from amongst those present shall preside at the meeting of the Primary School Council, and the Chairman or the Vice-Chairman or such member shall be entitled to vote on any matter and shall have a second or casting vote in every case of equality of votes.

(2) Subject to the provisions of sub-section (*1*), the Primary School Council shall have the power to regulate the procedure for the conduct of its business.

Restriction on voting.

51. (*1*) No member of a Primary School Council shall vote on any matter in which he has any personal or pecuniary interest or if it relates to any primary school of which he is either a teacher or a member of the managing committee.

(2) The Chairman or the Vice-Chairman or the member presiding at a meeting of a Primary School Council shall decide any question arising under sub-section (*1*) and his decision thereon shall be final.

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(Part III.—Chapter VI.—The Primary School Councils.—Sections 52-55.)

Removal.

52. The State Government may, by notification, remove the Chairman, Vice-Chairman or a member of a Primary School Council, if he—

(*a*) refuses to act or becomes incapable of acting as Chairman, Vice-Chairman or member of the Primary School Council; or

(*b*) acts in a manner prejudicial to the interest of the Primary School Council; or

(*c*) without obtaining the consent of the Primary School Council is absent from six consecutive meetings of the Primary School Council:

Provided that before such removal the Chairman, the Vice-Chairman or the member concerned shall be given an opportunity of being heard.

Duties of the Chairman.

53. (*1*) The Chairman shall be responsible for carrying out and giving effect to the decisions of the Primary School Council and of any Committee thereof,

(2) The Chairman may, in any emergency, discharge any of the duties of the Primary School Council, provided, however, that he shall not act contrary to any decision of the Primary School Council, and shall within one month report to the Primary School Council the action taken by him together with reasons therefor.

(*3*) The Chairman shall—

(*a*) exercise general supervision and control over the Secretary, the Finance Officer and the staff appointed by the Primary School Council and post and transfer the members of the staff;

(*b*) sanction all claims of travelling allowances;

(*c*) take such other action not inconsistent with any decision of the Primary School Council as he considers necessary for the proper functioning of the Primary School Council under the Act.

Duties of the Vice-Chairman.

54. The Vice-Chairman shall discharge such duties of the Chairman as may be delegated to him in writing by the Chairman with the approval of the Primary School Council.

Secretary and Finance Officer of Primary School Council.

55. (*1*) Every Primary School Council shall have a Secretary and a Finance Officer.

(2) The Secretary shall be appointed by the State Government and the terms and conditions of service of the Secretary and his pay and allowances shall be such as the State Government may determine.

The West Bengal Primary Education Act, 1973.

(*Part III.—Chapter VI.—The Primary School Councils.—Sections 56-58.*)

(*3*) Subject to the general control and supervision of the Chairman, the Secretary shall be the principal administrative officer of the Primary School Council.

(*4*) The State Government shall appoint a person who is in the service of the State Government as the Finance Officer upon such terms and conditions and on such pay and allowances as the State Government may determine.

(*5*) The Finance Officer shall be in charge of the matters relating to finance and accounts of the Primary School Council and shall perform such functions as may be prescribed.

(*6*) The pay and allowances of the Secretary and the Finance Officer shall be paid out of the fund of the Primary School Council.

(*7*) The Secretary and the Finance Officer shall be entitled to attend and speak at any meeting of the Primary School Council but shall not be entitled to vote.

Other staff of the Primary School Council

56. (*1*) Subject to the prescribed conditions and with prior approval of the State Government, a Primary School Council may appoint such officers and other staff as may be considered necessary for carrying out the duties under the Act.

(*2*) The scale of pay and allowances in respect of such officers and other staff and other terms and conditions of their appointment shall be such as may be determined by the State Government from time to time.

(*3*) Subject to the prescribed conditions, a Primary School Council may award any punishment including dismissal or removal on the members of its staff other than the Secretary and the Finance Officer:

Provided that no punishment other than censure of a teacher or a School Mother of Primary School be awarded except on the recommendation of the Discipline Committee.

Travelling allowance.

57. Such members of the Primary School Council or of any Committee thereof as are not in the service of the State Government shall, in respect of expenses incurred by them in attending meetings of the Primary School Council, or of any such Committee, or in exercising any powers or performing any duties conferred or imposed upon them by or under this Act, be paid by the Primary School Council such allowances and at such rates as may be prescribed.

Control by Board.

58. If at any time, it appears to the Board that a Primary School Council has made default in discharging any duty imposed upon it by or under this Act, the Board may after giving the Primary School Council an opportunity of being heard, fix, by an order in writing, a period within which such duty is to be discharged.

The West Bengal Primary Education Act, 1973.

(Part III.—Chapter VI.—The Primary School Councils.—Sections 59, 60.)

Supersession of Primary School Council and appointment of an Administrator.

59. (*1*) If at any time, on receipt of a report from the Board or otherwise, it appears to the State Government that a Primary School Council is not competent to perform, or persistently makes default in the performance of, the duties imposed upon it by or under this or any other Act, or exceeds or abuses its powers, the State Government may, after giving the Primary School Council an opportunity of being heard, by an order in writing specifying the reasons for so doing, remove all members of such Primary School Council and direct that the vacancies shall thereupon be filled by election, nomination or appointment, as the case may be, in respect of elected, nominated or appointed members:

Provided that when the State Government proposes to make an order under this sub-section otherwise than on a report from the Board the State Government shall ask the Board to give its opinion in the matter within a date to be fixed by the State Government and an order under this sub-section shall be made after considering the opinion of the Board, if any, received within the date so fixed.

(*2*) From the date of an order under sub-section (*1*) and until the vacancies are filled—

(*a*) all powers and duties of the Primary School Council shall be exercised and performed by, and

(*b*) all property vested in the Primary School Council shall vest in,

such person and in such manner, as the State Government may direct.

Duties of the Primary School Council.

60. (*1*) It shall be the duty of every Primary School Council—

(*a*) to prepare and maintain in such manner and containing such particulars as may be prescribed, a register showing all primary schools within its jurisdiction, together with the teachers thereof and the accommodation available therein;

(*b*) to maintain in such manner and containing such particulars as may be prescribed a register of teaching and non-teaching staff of all primary schools under its management;

(*c*) to maintain in such manner and containing such particulars as may be prescribed a service record of teaching and non-teaching staff of all primary schools under its management;

(*d*) to tabulate such further information and to prepare such plans or maps as may be necessary to enable the Primary School Council to frame an estimate of the existing provisions for primary education and of the further provisions necessary to place primary education within the reach of all children;

(*e*) to prepare in the prescribed manner schemes for the extension of primary education and to make adequate provisions for facilities for the free primary education of all children to whom such schemes apply;

(*f*) to arrange, in the prescribed manner and with the prior approval of the Board, for the opening of additional primary schools and expansion of existing primary schools with a view to giving effect as funds permit to such schemes;

The West Bengal Primary Education Act, 1973.

(Part III.—Chapter VI.—The Primary School Councils.—Section 60.)

(*g*) to provide for the welfare of the children attending primary schools;

(*h*) to maintain an adequate number of primary schools within its jurisdiction;

(*i*) to carry on propaganda for expansion of primary education;

(*j*) to construct, repair and manage, either directly or through any local authority, all primary schools under public management;

(*k*) subject to the prescribed conditions, to appoint teachers and other staff in primary schools, to transfer any such teacher or other staff from one primary school to another primary school within the jurisdiction of the same Primary School Council and to pay to teachers and other staff salaries and allowances, if any, at such rates as may be fixed by the State Government;

(*l*) to grant recognition to primary schools with or without conditions or to withdraw recognition and to grant financial aid to any such primary schools or to withdraw such aid, in such manner, as may be prescribed;

(*m*) to make grants in the prescribed manner for scholarships and stipends;

(*n*) to prepare and transmit to the Director proposals for increasing the supply of trained and certified teachers;

(*o*) to comply with such instructions as may be issued by the Board under clause (*f*) of sub-section (*1*) of section 19;

(*p*) to advise upon and to supply all information with respect to matters relating to primary education referred to the Primary School Council by the Director or the Board;

(*q*) subject to the prescribed conditions—

(*i*) to grant pensions and gratuities to,

(*ii*) to form and manage a provident or an annuity fund for,

(*iii*) to compel contributions to such fund from, and

(*iv*) to supplement the contributions to such fund of,

the establishment of the Primary School Council and teachers in primary schools:

(*r*) to exercise supervision and control over the primary schools and the work of the Welfare Committees; and

(*s*) to perform such other duties as may be prescribed.

(*2*) The register referred to in clause (*a*) of sub-section (*1*) shall be maintained and the information referred to in clause (*d*) thereof shall be tabulated separately for each prescribed area.

The West Bengal Primary Education Act, 1973.

(Part III.—Chapter VI.—The Primary School Councils.—Sections 61-64.)

Reports to be made by the Primary School Council.

61. (*1*) Every Primary School Council shall in each financial year—

(*a*) frame and transmit to the Director, by such date and in such form as he may direct, a statement showing for the area within its jurisdiction—

(*i*) the names of primary schools for which grants have been sanctioned for that year; and

(*ii*) the amount of the grant which has been sanctioned for each such school;

(*b*) furnish a report to the Director, by such date and in such form as he may direct, exhibiting the grants which it has distributed to schools within its jurisdiction.

(*2*) A copy of such statement and of such report shall be sent to the Board.

Primary School Council to furnish other prescribed reports.

62. Every Primary School Council shall prepare and transmit to the Director and the Board such further reports and statements as the State Government may from time to time determine.

Compulsory acquisition of land for the purposes of the Act.

63. The State Government may, at the request of the Chairman of a Primary School Council, acquire, under the provisions of any law for acquisition of land for the time being in force, any land required for the purpose of this Act.

Explanation.—"Land" in this section has the same meaning as in clause (*bl*) of section 2 of the West Bengal Land (Requisition and Acquisition) Act, 1948. West Ben. Act II of 1948.

Transfer of primary schools under the control of the Corporation of Calcutta.

64. With effect from such date as may be fixed by the State Government by notification,—

(*a*) such primary schools in Calcutta as may be mentioned in the notification in consultation with the Corporation of Calcutta, together with their lands, buildings, and other properties, movable or immovable, vested in or under the control of the Corporation of Calcutta immediately before such date, shall stand transferred to the Calcutta Primary School Council;

(*b*) the primary schools referred to in clause (*a*) shall be under the control and management of the Calcutta Primary School Council;

(*c*) teachers of such primary schools who are employed against permanent vacancies and are in continuous service for at least one year immediately before such date shall be deemed to be employees of the Calcutta Primary School Council and the terms and conditions of their service shall be such as may be determined by the State Government.

The West Bengal Primary Education Act, 1973.

(Part III.—Chapter VI.—The Primary School Councils.—Sections 65, 66.)

Transfer of primary schools under the control of a municipality.

65. (*1*) With effect from such date as may be fixed by the State Government by notification,—

(*a*) such primary schools in a specified municipality as may be mentioned in the notification in consultation with the Commissioners of such municipality, together with their lands, buildings and other properties, movable or immovable, vested in or under the control of the Commissioners of such municipality immediately before such date shall stand transferred to the Primary School Council established for such municipality;

(*b*) the primary school referred to in clause (*a*) shall be under the control and management of the Primary School Council established for such municipality;

(*c*) teachers of such primary schools who are employed against permanent vacancies and are in continuous service for at least one year immediately before such date shall be deemed to be employees of the Primary School Council established for such municipality and the terms and conditions of their service shall be such as may be determined by the State Government.

(*2*) With effect from such date as may be fixed by the State Government by notification,—

(*a*) such primary schools in a non-specified municipality in a district as may be mentioned in the notification in consultation with the Commissioners of such municipality, together with their lands, buildings and other properties, movable or immovable, vested in or under the control of the Commissioners of such municipality immediately before such date, shall stand transferred to the Primary School Council established for the district;

(*b*) the primary schools referred to in clause (*a*) shall be under the control and management of the Primary School Council established for such district;

(*c*) teachers of such primary schools who are employed against permanent vacancies and are in continuous service for at least one year immediately before such date shall be deemed to be employees of the Primary School Council established for the district and the terms and conditions of their service shall be such as may be determined by the State Government.

Transfer of primary schools under scheme sanctioned under West Bengal Act XXVIII of 1963.

66. (*1*) Notwithstanding anything contained in section 65, all primary schools in a municipality under a scheme sanctioned under the West Bengal Urban Primary Education Act, 1963 shall, with effect from such date as may be fixed by the State Government by notification, together with their lands, buildings and other properties, movable or immovable, vested in or under the control of the Commissioners of such municipality immediately before such date, shall stand transferred to, and all teachers and other staff employed in such primary schools and continuing in office immediately before such date shall be deemed to be employed by,—

(*a*) the Primary School Council established for a specified municipality, if such schools are within the jurisdiction of such municipality; and

The West Bengal Primary Education Act, 1973.

(Part III.—Chapter VII.—Committees of the Primary School Council.—Sections 67, 68.—Chapter VIII.—Finance and audit.—Section 69.)

(*b*) the Primary School Council established for the district, if such schools are within the jurisdiction of a non-specified municipality within the district.

(*2*) The terms and conditions of service of such teachers and other staff shall be such as may be determined by the State Government.

CHAPTER VII

Committees of the Primary School Council

Committees.

67. (*1*) As soon as may be after a Primary School Council is established it shall constitute the following Committees; namely:—

(*a*) the Recognition Committee;

(*b*) the Staff Selection Committee;

(*c*) the Finance Committee;

(*d*) the Discipline Committee;

(*e*) the Appeal Committee;

(*f*) the Development Committee.

(*2*) The constitution, powers and functions of a Committee shall be such as may be prescribed.

Power to constitute Committees.

68. (*1*) A Primary School Council may, with the approval of the State Government and subject to such directions as the State Government may issue in this behalf, constitute such other Committee or Committees as it may think fit and any such Committee may be composed wholly or in part of members of the Primary School Council.

(*2*) A Primary School Council may, with the approval of the State Government, delegate to any such Committee any of its powers and functions and may in like manner withdraw from it any such power or function.

(*3*) A Primary School Council may, with the approval of the State Government, dissolve any of the Committees referred to in sub-section (*1*) of section 67 or constituted under sub-section (*1*) of this section.

CHAPTER VIII

Finance and audit

Budget.

69. (*1*) Every Primary School Council shall in each year prepare in the prescribed form a budget estimate of income and expenditure of the Primary School Council for the ensuing financial year, and shall submit the budget estimate to the State Government through the Director on or before the thirtieth day of November.

(*2*) The State Government may either approve of the budget estimate as it stands, or approve of it after making such alterations, if any, as it may think fit or may cause it to be returned to the Primary School Council for such modifications as the State Government may think necessary, and when such modifications have been made, the budget estimate shall be re-submitted for approval to the State Government.

The West Bengal Primary Education Act, 1973.

(Part III.—Chapter VIII.—Finance and audit.—Sections 70, 71.)

(3) If the State Government does not accord its approval to the budget estimate within three months of the receipt thereof for such approval or within three months of the re-submission thereof with or without modification the said estimate shall be deemed to have been approved by the State Government.

Primary School Council Fund.

70. (1) Every Primary School Council shall have a fund to be called the Primary School Council Fund to which shall be credited—

(a) all sums granted by the State Government or the Board for the payment of grants for primary education;

(b) all sums granted by the State Government or the Board for the maintenance of primary schools and for payment to the teachers and other staff in primary schools;

(c) all sums granted by the State Government or the Board for scholarships for children in primary schools;

(d) the proceeds of the education cess levied under this Act within its areas;

(e) all sums representing income from endowments or from property owned or managed by the Primary School Council;

(f) the amount of all fines and penalties imposed under this Act other than fines and penalties levied by Magistrates;

(g) all school fees and fines, if any, collected in primary schools maintained by the Primary School Council; and

(h) all other sums received by the Primary School Council from any other sources whatsoever.

(2) The fund shall vest in the Primary School Council, shall be under its control and shall be held by it in trust for the purposes of this Act.

Application of the Primary School Council Fund.

71. No expenditure shall be incurred from the Primary School Council Fund unless such expenditure is provided for in the budget as approved under this Act or by reappropriation sanctioned in the prescribed manner.

The West Bengal Primary Education Act, 1973.

(Part III.—Chapter VIII.—Finance and audit.—Sections 72-74.)

Expenditure from Primary School Council Fund.

72. Except as otherwise provided in this Act, the Primary School Council Fund shall be applied in connection with the following objects and in the following order, namely:—

first, payment of interest upon any loan obtained by the Primary School Council for any of the purposes connected with this Act and for the formation of a sinking fund when required;

secondly, payment of the prescribed percentage of the cost of the establishment maintained by the Collector under section 91 of the Cess Act, 1880;

Ben. Act IX of 1880.

thirdly, payment of the cost of audit;

fourthly, payment of the salaries, allowances and all other expenses in connection with the establishment of the Primary School Council and all teachers in primary schools and, subject to the prescribed conditions, of pensions, family pensions, gratuities and grants made for submitting contribution to the provident fund in connection with the establishment of the Primary School Council and of teachers in primary schools;

fifthly, payment of travelling allowance to members of the Primary School Council;

sixthly, payment of expenses incurred by the Primary School Council in connection with the construction and maintenance of houses for primary schools and providing equipments to such schools;

seventhly, carrying out any other purposes under this Act.

Accounts.

73. Every Primary School Council shall keep an account of all its receipts and expenditure in the manner prescribed.

Audit.

74. (*1*) The accounts of every Primary School Council shall be examined and audited annually in such manner as may be prescribed by an auditor or auditors appointed by the State Government.

(*2*) The provisions of section 35 and section 36 shall apply *mutatis mutandis* in respect to the audit of the accounts of every Primary School Council.

The West Bengal Primary Education Act, 1973.

(Part IV.—Chapter IX.—Contributions.—Sections 75, 76.—Chapter X.—Taxes and cesses.—Section 77.)

(*3*) The State Government may by an order appoint an officer to examine the accounts of a Primary School Council for any period and the Primary School Council and its members and officers and other staff shall afford to the officer every facility for the examination of the accounts as may be required by him in terms of the order of the State Government.

PART IV

CHAPTER IX

Contributions

Contribution from State revenues.

75. The State Government shall every year provide such sum from the State revenue as it may thnik fit for expenditure on primary education.

Contributions from Calcutta Corporation and municipalities.

76. Notwithstanding anything contained in any law for the time being in force, the Corporation of Calcutta shall pay to the Primary School Council established for Calcutta and the municipal authority of a municipality shall pay to the Primary School Council established for the area comprising the municipality, in each year in the prescribed manner an amount equal to the amount spent by them on primary education during the year immediately preceding the year in which this Act comes into force in Calcutta or in such municipality, as the case may be.

Explanation.—In this section "municipal authority" means—

(*i*) in a municipality to which the Bengal Municipal Act, 1932 applies, the Municipal Commissioners; Ben. Act XV of 1932.

(*ii*) in the area to which the Chandernagore Municipal Act, 1955 applies, the Municipal Corporation of Chandernagore; West Ben. Act XVIII of 1955.

(*iii*) after the constitution of the Municipal Corporation of Howrah under the Howrah Municipal Act, 1965, in respect of the area included in Howrah as defined in the said Act, the Municipal Corporation of Howrah; and West Ben. Act XVII of 1965.

(*iv*) in respect of a notified area under section 93A of the Bengal Municipal Act, 1932, the notified area authority appointed in respect of such area.

CHAPTER X

Taxes and cesses

Tax on property.

77. (*1*) For the purpose of providing resources for promoting primary education the State Government may impose a tax on property within Calcutta and the municipalities.

(*2*) The tax referred to in sub-section (*1*) shall be imposed—

(*a*) in Calcutta, on lands and buildings at a rate not exceeding three *per cent.* of the annual value of the lands and buildings determined under the Calcutta Municipal Act, 1951, for the purpose of assessment of the consolidated rates; and West Ben. Act XXXIII 1951.

The West Bengal Primary Education Act, 1973.

(Part IV.—Chapter X.—Taxes and cesses.—Section 78.—Part V.—Chapter XI.—Free and Compulsory Primary Education.—Sections 79, 80.)

(*b*) in a municipality, on the holding at a rate not exceeding three *per cent.* of the annual value of the holdings or lands and buildings determined under the law applicable to the municipality for the purposes of assessment of rates.

(*3*) The tax referred to in sub-section (*1*) shall be levied and collected in such manner as may be prescribed.

Education cess.

78. (*1*) All immovable properties on which road and public works cesses are assessed according to the provisions of the Cess Act, 1880, shall be liable to the payment of education cess. **Ben. Act IX of 1880.**

(2) The rate of the education cess shall be determined by the State Government by notification and shall not exceed —

(*a*) in respect of lands, *ten paise* on each rupee of the annual value thereof;

(*b*) in respect of coal mines, *fifty paise* on each tonne of coal on the annual despatches therefrom;

(*c*) in respect of quarries and mines other than coal mines, *twelve paise* on each rupee of the annual net profit thereof.

(*3*) The proceeds of the education cess in each district shall be paid by the Collector into the Primary School Council Fund established for the district.

(*4*) The provisions of the Cess Act, 1880 shall apply as far as possible to the assessment, levy and recovery of the education cess.

PART V

CHAPTER XI

Free and Compulsory Primary Education

Preparation of scheme.

79. Every Primary School Council shall prepare, in accordance with such directions as may be given by the Director in this behalf, a scheme for the entire area within the jurisdiction of the Primary School Council or any part thereof to provide compulsory primary education for children ordinarily resident within such area and shall submit the scheme to the Board which shall send it with its observations to the Director within such time as may be specified by him.

Particulars of scheme.

80. The scheme referred to in section 79 shall be in such form as may be prescribed and shall contain the following particulars, namely: —

(*a*) the area in which primary education shall be compulsory with population ascertained at the last preceding census;

(*b*) the approximate number of children in such area classified according to age, sex and mother tongue;

(*c*) a list showing therein the number of existing primary schools classified according to the language in which instruction is given in such schools, the location of such schools, the number of teachers and students in each such school and the accommodation available for enrolment therein;

The West Bengal Primary Education Act, 1973.

(Part V.—Chapter XI.—Free and Compulsory Primary Education.—Sections 81-83.)

(*d*) a list showing therein the number of new primary schools proposed to be opened classified according to the language in which instruction is proposed to be given in such schools, the location of the proposed schools, the number of teachers and other staff that would be required and the accommodation that would be available in such schools;

(*e*) the recurring and non-recurring expenditure of the scheme;

(*f*) a sketch map of the area to be covered by the scheme indicating therein the area of each thana or ward, location of existing primary schools and of the proposed new primary schools;

(*g*) such other particulars as may be prescribed.

Sanction of State Government to the scheme.

81. (*1*) The State Government may, after such enquiry as it may consider necessary, sanction with or without modification the scheme submitted under section 79 and the scheme so sanctioned shall be published by notification and shall come into force from such date as may be specified by the State Government in the notification.

(*2*) Every scheme of free and compulsory education sanctioned under the West Bengal Urban Primary Education Act, 1963, and in force in any area immediately before the coming into force of this Act in such area shall, unless otherwise directed by the State Government, be deemed to be a scheme sanctioned under this Act. West Ben. Act XXVIII of 1963.

Modification, etc., of sanctioned scheme.

82. (*1*) A scheme sanctioned under section 81 may, from time to time, be modified by the State Government or, with the approval of the State Government, by the Primary School Council having jurisdiction over the area covered by the scheme and when a scheme is so modified, the modified scheme with reasons for making the modification shall be published by notification.

(*2*) The State Government may by order in writing stating the reasons for so doing temporarily suspend a sanctioned scheme.

(*3*) When a sanctioned scheme is temporarily suspended by an order under sub-section (*2*), the State Government shall give the Primary School Council concerned an opportunity of stating its views on the order and after considering the views of the Primary School Council the State Government may revoke the order temporarily suspending the scheme, or withdraw the scheme and direct the Primary School Council to prepare a fresh scheme.

Primary education to be free.

83. (*1*) When a scheme sanctioned by the State Government comes into force in any area no fee shall be charged in respect of any child attending a primary school in such area managed or aided by the Primary School Council.

(*2*) Primary education shall continue to be compulsory and no fee shall be charged by any primary school under public management in the area in which primary education was declared compulsory under the Bengal (Rural) Primary Education Act, 1930. Ben. Act VII of 1930.

The West Bengal Primary Education Act, 1973.

(Part V.—Chapter XI.—Free and Compulsory Primary Education.—Sections 84, 85.)

List of children.

84. (*1*) It shall be the duty of a Primary School Council to cause to be prepared, within a period of three months from the date of coming into force of a scheme and in such manner as may be prescribed, a list of children in the area covered by the scheme and the Primary School Council shall cause the list to be revised at such interval as may be prescribed.

(*2*) The State Government may, by order, extend the period for the preparation of the list referred to in sub section (*1*).

(*3*) It shall be the duty of the teachers and other staff of all primary schools managed or aided by the Primary School Council to assist in the preparation or revision of the list referred to in sub-section (*1*) in the manner indicated by the Primary School Council. The Primary School Council may, with the approval of the State Government, also appoint other persons including Inspecting Officers and other employees of the State Government including teachers for the preparation or revision of such list.

Welfare Committee.

85. (*1*) There shall be a Welfare Committee for each primary school. The Welfare Committee shall be constituted by the Primary School Council and shall consist of the following members, namely:—

(*a*) the head teacher of the primary school;

(*b*) one assistant teacher of the primary school elected by the teachers other than the head teacher thereof from amongst themselves;

(*c*) four guardians elected in the prescribed manner by guardians of the students reading in the primary school from amongst themselves;

(*d*) one person interested in education nominated by the Primary School Council concerned; and

(*e*) where the primary school is situated within the jurisdiction of—

(*i*) a *Gram Panchayat*, one person elected in the prescribed manner by the members of such *Gram Panchayat* from amongst themselves,

(*ii*) the Corporation of Calcutta or a municipality, one person elected in the prescribed manner by the Councillors of the Corporation of Calcutta or by the municipal authority of such municipality, as the case may be, from amongst the persons residing within a distance of sixteen hundred metres from the premises of the school.

Explanation.—In this clause the expression "municipal authority" has the same meaning as in section 76.

(*2*) There shall be a Chairman and a Secretary of the Welfare Committee elected from amongst the members referred to in clauses (*c*), (*d*) and (*e*) of sub-section (*1*).

(*3*) The head teacher of the school concerned shall be the Assistant Secretary of the Welfare Committee.

(*4*) If a Welfare Committee is not formed within six months from the date on which the Act comes into force in any area in which the primary school is situated, the Primary School Council shall appoint an ad hoc Welfare Committee with four nominated guardians and the head teacher as members. Such ad hoc Committee shall function until a Welfare Committee is formed in the manner laid down in sub-section (*1*).

The West Bengal Primary Education Act, 1973.

(Part V.—Chapter XI.—Free and Compulsory Primary Education.—Sections 86, 87.)

(5) The Welfare Committee shall hold office for a term of four years.

(6) It shall be the duty of the Welfare Committee to advise on matters relating to the administration, development and improvement of the school, promotion of cordial relationship among guardians, teachers and students, the health of the students, books and the meals, if any, to be supplied in such school.

(7) The Welfare Committee shall perform such other functions and discharge such other duties as are mentioned in this Act or as may be prescribed.

(8) The Welfare Committee shall perform its functions and discharge its duties under the supervision and control of the Primary School Council.

(9) The Primary School Council shall have the power to dissolve any Welfare Committee if it so thinks fit and appoint an *ad hoc* Welfare Committee in its place in the same manner as laid down in sub-section (4) which shall function until a new Committee is constituted under sub-section (1).

Guardians to furnish information.

86. Any person engaged in the preparation or revision of the list referred to in section 84 or any member of the Welfare Committee may put such question to any guardian or require any guardian to furnish such information about his child as such person or such member may consider necessary and such guardian shall be bound to answer such question or to furnish such information, as the case may be, to the best of his knowledge and belief.

Duty of guardian to send his child to a primary school.

87. (1) In any area where a scheme sanctioned by the State Government comes into force it shall be the duty of the guardian of every child residing within such area to cause the child to attend a primary school, unless, in the opinion of the Welfare Committee, there is a reasonable excuse for non-attendance of the child.

(2) Any of the following circumstances shall be deemed to be a reasonable excuse within the meaning of this section, namely:—

(a) that there is no primary school within a distance of sixteen hundred metres from the residence of the child measured by the shortest route, which the child can attend;

(b) that the child is prevented from attending the school by reason of sickness or infirmity or mental defect;

(c) that the child is receiving education in some other manner declared to be satisfactory by the State Government or by an officer authorised by it in this behalf;

(d) that the child has already completed primary education up to the class or standard available in any primary school situated within a distance of sixteen hundred metres from his residence;

(e) such other circumstances as may be prescribed.

The West Bengal Primary Education Act, 1973.

(Part V.—Chapter XI.—Free and Compulsory Primary Education.—Sections 88-90.—Part VI.—Chapter XII.—Tribunal.—Section 91.)

Attendance order.

88. (*1*) Whenever the Welfare Committee has reason to believe that the guardian of a child has failed to cause the child to attend a primary school without any reasonable excuse within the meaning of sub-section (*2*) of section 87, it shall, after causing such enquiry as it considers necessary, make an order directing the guardian to cause such child to attend a primary school on and from the date specified in the order.

(*2*) A guardian aggrieved by an order under sub-section (*1*) may, within thirty days from the date of the order, appeal in the prescribed manner to the District Inspector of Schools who may confirm or rescind the order.

Penalty for failure to obey order for causing attendance of a child in a primary school.

89. Any guardian who fails to comply with an order passed under sub-section (*1*) of section 88, unless such order is rescinded in an appeal made under sub-section (*2*) of that section, shall, on conviction before a Magistrate, be liable to a fine not exceeding twenty rupees, and if so ordered also a recurring fine not exceeding one rupee for each day after the first during which he continues so to offend.

Cognisance of offence.

90. No Magistrate shall take cognisance of any offence under this Chapter except on the complaint of an officer of the State Government not below the rank of an Assistant Inspector of Schools authorised by the State Government in this behalf.

PART VI

CHAPTER XII

Tribunal

Tribunal.

91. (*1*) There shall be a Tribunal which shall consist of a person who is or has been a judicial officer, not below the rank of a Subordinate Judge, appointed by the State Government.

(2) The Tribunal shall decide,—

(*i*) every appeal filed by a teacher or a member of the non-teaching staff of a primary school against the decision of the appeal committee constituted under section 67, in cases where the punishment awarded is dismissal, removal or reduction in rank or such other punishment as may be prescribed, and

(*ii*) every dispute concerning,—

(*a*) the eligibility of any person for election as a member of the Board or any Primary School Council or any committee of the Board or the Primary School Council under this Act, or

(*b*) the manner in which such election was held, or

(*c*) the qualification of any member of the Board or any Primary School Council or any committee of the Board or the Primary School Council, to continue as such member.

The West Bengal Primary Education Act, 1973.

(Part VI.—Chapter XII.—Tribunal.—Section 92.—Chapter XIII.—Transitional provisions.—Sections 93-97.)

Procedure to be followed by a Tribunal.

92. (*1*) The time within which an appeal shall be filed or a dispute shall be referred under section 91 and the procedure to be followed by the Tribunal in deciding such appeal or dispute shall be such as may be prescribed.

(*2*) The decision of the Tribunal under sub-section (*2*) of section 91 shall be final and no suit or proceeding shall lie in any court in respect of any matter which has been or may be referred to or has been decided by the Tribunal.

CHAPTER XIII

Transitional provisions

Administrator to discharge the functions of Primary School Council until it is established.

93. (*1*) Upon the repeal of the enactments referred to in sub-section (*1*) of section 105 and until a Primary School Council is established for any area, the State Government shall, by notification, appoint, for such period not exceeding one year as may be specified in the notification, one of its officers to be called the Administrator who shall exercise, perform and discharge in relation to such area, all the powers, functions and duties of a Primary School Council under this Act:

Provided that the Administrator appointed in relation to any area shall vacate his office on the establishment of the Primary School Council for such area.

(*2*) All things done and all actions taken by the Administrator under sub-section (*1*) shall be deemed to have been done or taken by the Primary School Council as if the Primary School Council were established.

Matter to be provided by regulation may be provided by orders of State Government.

94. Every matter or thing required to be provided by regulations under this Act may, until such regulations are made, be provided by orders made by the State Government in this behalf.

Provisions for removing difficulty.

95. If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removing such difficulty.

Filling of vacancy when a member ceases to be a member of the category electing him.

96. If any member of the Board, any Primary School Council or any Committee constituted under this Act, elected, nominated or appointed thereto from a particular category ceases to be a member of such category, he shall, with effect from the date he ceases to be a member of such category, automatically cease to be a member of the Board, such Primary School Council or such Committee, as the case may be.

Appointment when electing body is superseded.

97. If any elected body from which a member is to be elected, appointed or nominated to the Board, any Primary School Council or any Committee constituted under this Act, stands superseded and it is not possible to elect, nominate or appoint the member from such elected body, the Administrator or the executive officer of such elected body shall be the *ex officio* member of the Board, Primary School Council or the Committee, as the case may be. He shall cease to be such member as soon as the elected body is reconstituted and the election is held or the appointment or nomination, as the case may be, is made.

The West Bengal Primary Education Act, 1973.

(Part VI.—Chapter XIII.—Transitional provisions.—Section 98.—Chapter XIV.—Miscellaneous.—Sections 99-102.)

Taking over of properties of primary school.

98. The Board or any Primary School Council shall have the power to take over or to accept by gift or transfer properties of any school under private ownership and management and thereafter to bring such school under the control and management of the Primary School Council having jurisdiction.

CHAPTER XIV

Miscellaneous

Power of State Government to suspend proceedings.

99. (*1*) The State Government may, by an order in writing specifying the reasons therefor, temporarily suspend the execution of any resolution or order of the Board or a Primary School Council or of any Committee of the Board or the Primary School Council or temporarily prohibit the doing of any act by it which is purported or intended to be done under this Act, if the State Government is of opinion that such resolution, order or act is in excess of the powers conferred by or under this Act upon the Board, the Primary School Council or the Committee, as the case may be.

(*2*) When any order is made under sub-section (*1*), the State Government shall give the Board, the Primary School Council or the Committee of the Board or the Primary School Council an opportunity to express its views on such order and after considering the views of the Board, the Primary School Council or the Committee, as the case may be, revoke or confirm such order.

Enquiry into the affairs of the Board and the Primary School Council.

100. (*1*) The State Government may, from time to time, cause enquiry to be made by any person in regard to the Board or a Primary School Council on matters connected with primary education or any matter with respect to which the sanction, approval, consent or order of the State Government is required by or under this Act.

(*2*) The person holding such enquiry shall have the powers of a Civil Court under the Code of Civil Procedure, 1908, to take evidence and to compel the attendance of witnesses and the production of documents for the purpose of enquiry. 5 of 1908.

(*3*) The State Government may make orders as to the cost of enquiry made under sub-section (*1*) and as to the party by whom and the funds out of which such costs shall be paid and such orders may on the application of the State Government or the person named therein be executed as if it were a decree of a Civil Court.

Certain persons to be deemed to be public servants.

101. The members of the Board, the Primary School Councils, or the Committees of the Board or the Primary School Councils, persons in the service of the Board, the Primary School Councils or such Committees and any person appointed under this Act to audit the accounts of the Board or of a Primary School Council or to perform any other duties under this Act or the rules and regulations made thereunder shall be deemed, when acting or purporting to act in the discharge of their duties or the exercise of their powers under this Act or under the rules and regulations made thereunder, to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Indemnity.

102. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for anything in good faith done or intended to be done under this Act.

The West Bengal Primary Education Act, 1973.

(Part VI.—Chapter XIV.—Miscellaneous.—Sections 103-105.)

Savings.

103. No act or proceeding taken under this Act by the Board or a Primary School Council or a Committee of the Board or the Primary School Council shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

Delegation.

104. (*1*) The State Government may by notification delegate, subject to such conditions as it may specify, all or any of its powers under this Act to any officer or authority subordinate to it.

(*2*) Nothing in sub-section (*1*) shall derogate from the right of the State Government to exercise any of the powers delegated by it under that sub-section.

Repeal and continuance.

105. (*1*) The Bengall (Rural) Primary Education Act, 1930, the West Bengal Urban Primary Education Act, 1963, and the West Bengal (Rural) Primary Education (Temporary Provisions) Act, 1969, are hereby repealed.

Ben. Act VII of 1930.
West Ben. Act XXVIII of 1963.
West Ben. Act XII of 1969.

(*2*) Upon such repeal,—

(*a*) all properties and assets vested in the District School Board established for a district shall vest in, and all rights, liabilities and obligations acquired or incurred by such District School Board before such repeal shall stand transferred to, the Primary School Council established for the district:

Provided that until such Primary School Council is established such properties and assets shall be deemed to be vested in, and such rights, liabilities and obligations shall be deemed to be transferred to, the Administrator appointed under section 93 in relation to the district,

(*b*) all legal proceedings instituted or remedies enforceable by or against the District School Board established for a district before such repeal may be continued or enforced, as the case may be, by or against the Primary School Council established for the district and until such Primary School Council is established, by or against the Administrator appointed under section 93 in relation to the district,

(*c*) all officers and other persons employed by the District School Board established for a district and continuing in office immediately before such repeal shall be deemed to be employed by the Primary School Council established for the district on such terms and conditions as may be determined by the State Government:

Provided that until such Primary School Council is established such officers and other persons shall be deemed to be employed by the Administrator appointed under section 93 in relation to the district.

(*3*) All primary schools recognised under the Bengal (Rural) Primary Education Act, 1930, or the West Bengal Urban Primary Education Act, 1963, shall be deemed to have been recognised under this Act until the expiration of the period of recognition subject, however, to the power of the Primary School Council having jurisdiction to withdraw recognition in accordance with the provisions of this Act.

The West Bengal Primary Education Act, 1973.

(Part VI.—Chapter XIV.—Miscellaneous.—Section 106.)

(4) Notwithstanding the repeal of the Bengal (Rural) Primary Education Act, 1930, all rules, orders and notifications made or issued from time to time under the said Act, applicable to a District School Board and continuing in force immediately before such repeal shall continue in force in so far as they are not inconsistent with the provisions of this Act until they are repealed or amended. Ben. Act VII of 1930.

Power of State Government to make rules.

106. (1)The State Government may, after previous publication, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the manner of election of the members of the Board referred to in clauses (b), (c), (d), (e), (f) and (g) of section 4;

(b) the manner of election of the President and the Vice-President under sub-section (2) of section 9;

(c) the functions and duties of the Finance Officer referred to in sub-section (7), and the conditions referred to in sub-section (8), of section 17;

(d) the nature and rates of allowances referred to in section 18;

(e) other functions and duties of the Board referred to in clause (r) of sub-section (1) of section 19;

(f) the manner of election of the members of the Committees of the Board referred to in clauses (d), (e), (f) and (h) of sub-section (1) of section 23, clauses (d), (e), (g), (h) and (j) of sub-section (1) of section 24, clauses (e), (g), (h) and (i) of sub-section (1) of section 25, and clause (d) of sub-section (1) of section 26;

(g) the form of the budget estimate of the Board referred to in sub-section (1) of section 30;

(h) the manner of keeping accounts of the Board and the manner of examination and audit of such accounts referred to in section 34 and section 35;

(i) the manner of election of the members of the District Primary School Council referred to in clauses (d), (e), (f), (g) and (h) of sub-section (2) of section 37, clauses (c), (d), (e) and (f) of sub-section (2) of section 38 and clauses (e) and (f) of sub-section (2) of section 39;

(j) the manner of election of the Chairman and the Vice-Chairman of a Primary School Council referred to in sub-section (2) of section 44;

(k) the functions of the Finance Officer of the Primary School Council referred to in sub-section (5) of section 55;

(l) other duties of the Primary School Council referred to in clause (s) of sub-section (1) of section 60;

(m) the constitution, powers and functions of a Committee of the Primary School Council referred to in sub-section (2) of section 67;

(n) the form of the budget estimate of the Primary School Council referred to in sub-section (1) of section 69;

The West Bengal Primary Education Act, 1973.

(*Part VI.—Chapter XIV.—Miscellaneous.—Section 106.*)

(*o*) the manner of reappropriation to be sanctioned in section 71, manner of keeping accounts of a Primary School Council and the manner of examination and audit of such accounts referred to in sections 73 and 74;

(*p*) the manner of making payment to the Primary School Council under section 76;

(*q*) the manner in which tax referred to in section 77 shall be levied and collected;

(*r*) the form and the particulars of the scheme referred to in section 80;

(*s*) other functions and duties of the Welfare Committee referred to in sub-section (*7*) of section 85;

(*t*) the time within which an appeal shall be filed or a dispute shall be referred, and the procedure to be followed by a Tribunal, referred to in section 92;

(*u*) inspection of schools and supervision of teaching by the inspecting staff in the Education Department of the Government of West Bengal;

(*v*) any other matter which may or is required to be prescribed.

(*3*) All rules made under this Act shall be laid for not less than fourteen days before the State Legislature as soon as possible after they are made and shall be subject to such modification as the State Legislature may make during the session in which they are so laid. Any modification of the said rules made by the State Legislature shall be published in the *Official Gazette*, and shall, unless some later date is appointed by the State Government, come into force on the date of such publication.

By order of the Governor,
K. K. MOITRA,
Secy, to the Govt. of West Bengal.

Printed and published by the Superintendent, Government Printing, West Bengal, at the West Bengal Govt. Press, Alipore.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

ORDERS

No. 7978-P—19th September 1974.—In exercise of the power conferred by sub-rule (1) of rule 60 of the Defence of India Rules, 1971, the Governor is pleased hereby to authorise the carrying out of field firing and artillery practice throughout the areas in the district of Jalpaiguri, described in the schedule below, during the period commencing on the 20th September 1974 and ending on the 31st December 1974 (both days inclusive):

THE SCHEDULE

Compartment Nos. 1 and 2 of Barnobari Block of Gaburbashra Forest (J.L. No. 6), sheet No. 1, police-station Kalchini, covering an area of 26.03 acres, bounded on the north by Dalsingpara to Rangamati Road, on the south by Barnobari to Bhutri Road, on the west by Dalsingpara Tea Garden and Barnobari Tea Garden, and on the east by Rangamati Tea Garden.

By order of the Governor,
S. B. MAZUMDAR,
Jt. Secy. to the Govt. of West Bengal.

No. 7979-P.—19th September 1974.—In exercise of the power conferred by sub-rule (1) of rule 60 of the Defence of India Rules, 1971, the Governor is pleased hereby to authorise the carrying out of field firing and artillery practice throughout the areas in the district of Jalpaiguri, described in the schedule below, during the period commencing on the 20th September 1974 and ending on the 31st December 1974 (both days inclusive):

THE SCHEDULE

(a) The existing river Tista (flowing over the mauza Jangal Mohal in Rajganj police-station and mauzas Purba Totgaon, Sundaribasti, Kalagaity Tea Garden, Saogaon Hashkhali and Gazaldaba of Mal police-station) from its northern portion and in this district up to where it finally leaves the mauza Jangal Mohal in its downward course (off the south-west end of Aphalchand Forest in Mal police-station),

(b) on the western side of the above portion of Tista, such portion of the mauza Jangal Mohal (including Saraswatipur Tea Garden) of Rajganj police-station, which lies to the east of the National Highway-31 and such portion of mauzas Saogaon and Gazaldoba of Mal police-station which lies on the western bank of Tista, and

(c) on the eastern side of the above portion of Tista, the portion of mauza Saogaon in Mal police-station lying on this bank and the area within this district to the west of Leesh River and south of the National Highway-31 (i.e., the entire mauzas of Paschim Totgaon, Purba Totgaon, Sundaribasti, Kalagaity Tea Garden and such parts of Elenbarri Tea Garden, Washabarri,

Tea Garden and Kalagaity mauza which falls to the south of the National Highway-31 and west of Leesh River, in Mal police-station, and the portion of mauza Jangal Mohal of Rajganj police-station falling on the eastern bank of Tista to the south of Purba Totgaon and Sundaribasti).

By order of the Governor,
S. B. MAZUMDAR,
Jt. Secy. to the Govt. of West Bengal.

No. 7980-P.—19th September 1974.—In exercise of the power conferred by sub-rule (1) of rule 60 of the Defence of India Rules, 1971, the Governor is pleased hereby to authorise the carrying out of field firing and artillery practice throughout the areas in the district of Jalpaiguri, described in the schedule below, during the period commencing on the 20th September 1974 and ending on the 31st December 1974 (both days inclusive):

THE SCHEDULE

Area "A" (Madarihat and Kalchini police-stations)

(1) In Madarihat police-station—(a) Tite (jurisdiction list No. 12) Forests, (b) Holapara (jurisdiction list No. 14) Forests, (c) area covered by sheet Nos. 3, 4 and 5 of Totopara (jurisdiction list No. 13) Jote, and (d) Ballalguri (jurisdiction list No. 15) Jote.

(2) In Kalchini police-station—(a) Dalsinghpara Block, (b) Hasimara Block and (c) Jaygaon Block, all of Uttar Barajhar Forest (jurisdiction list No. 1) and (d) area covered by sheet No. 1 of Besch Tea Estate.

Area "B" (Kalchini police-station)

(1) Radharani Tea Garden (jurisdiction list No. 32);

(2) Adma Jote (jurisdiction list No. 236); and

(3) Pana and Adma Blocks and compartment 1 of Chonabhati Block, Compartments 1, 2 and that portion of compartment 3 of Santrabari Block which falls to the west of Buxa Railway Station to Buxa Cantonment Road (via Santrabari) and compartment Nos. 1 to 7 of Raimatong Block—all in Buxa jurisdiction list Nos. 37 and 39).

Area "C" (Nagrakata and Dhupguri police-stations)

(1) So much of Diana Forest (jurisdiction list No. 106) which lies to the north of the N. F. Railway line, and the east of Chengmari Tea Garden (jurisdiction list No. 130), which lies to the north of the N. F. Railway line (including the Chengmari Railway Station lands), and to the east of Chengmari Tea Garden Road running north from the Chengmari Railway Station to the Bhutan border through the Chengmari Tea Garden Factory in Nagrakata police-station.

(2) Dhupguri police-station, sheet Nos. 1, 2, 4 and 5 of Redbank Tea Estate, and mauza and plot Nos. 1, 3 and 6 of Ambari Tea Estate.

Area "D" (Nagrakata police-station)

Sukhanbari Division (sheet Nos. 4, 6 and 7) of Nagrakata Tea Estate (jurisdiction list No. 116) of Nagrakata police-station.

Area "E" (Kalchini police-station)

Compartment 3 and that portion of compartment 4, excluding the area bounded on the north by Road No. 8, on the east 300ft. parallel line west of Basra River, on the south Nilpara-Bhutri Road and on the west by Reserved Forest boundary of Barnobari Block of Gaburbashra Forest (jurisdiction list No. 6), police-station Kalchini.

By order of the Governor,
S. B. MAZUMDAR,
Jt. Secy. to the Govt. of West Bengal

NOTIFICATION

No. 8003-P.—20th September 1974.—In exercise of the power conferred by sub-section (3) of section 5 of the West Bengal Cinemas (Regulation) Act, 1954 (West Ben. Act XXXIX of 1954), the Governor is pleased hereby to direct that a licensee under the said Act shall not be required to exhibit in compliance with the directions contained in the Home (Political) Department notification No. 7277-P, dated the 20th September 1957, as amended, from time to time, any notified film at any of the daily shows on only those days on which at two of the daily shows the licensee exhibits the film entitled "Flame Burns Bright" produced by Shri Ashis Mukherjee and certified by the Central Board of Film Censors as predominantly educational.

By order of the Governor,
B. MUKHOPADHYAY,
Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

MIDNAPORE.—No. 19706-L.A.(II)/1G-28/73.—19th September 1974.—Whereas 8·15265 hectars (20·13 acres), more or less, of land, situate in or near the village of Sadatpur described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 by the person authorised under section 3(1A) of the Act for the public purpose of increasing employment opportunities for the people by establishing an industrial estate, namely, for the establishment of an Industrial Estate;

Now, therefore, notice, is hereby given that in pursuance of section 4 of the said act, the Governor acquires such being land required for a public purpose as aforesaid.

This notice is given under the provisional of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act 11 of 1948), to all whom it may concern.

A plan of the land may be inspected in the Office of the Collector, Midnapore.

Description of the land

Mauza Sadatpur, J L. No. 89, police-station Kharagpur, district Midnapore.

Revisional survey plots in full—194 and 201.

Revisional survey plots in part—

Plot No.	Specific portions of the plot.	Area in acre.	Area in hectare.
190	South-western ..	·06	·02430
191	Southern ..	·96	·38880
193	Southern ..	·35	·14175
242	South-eastern ..	·03	·01215
243	Eastern ..	1·26	·51030
246	Eastern ..	12·45	5·04225
247	Western .	1·36	·55080
249	Western ..	·80	·32400

By order of the Governor,
S. GHOSH,
Spl. officer and Dy. Secy. (ex-officio)
to the Govt. of West Bengal

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

Legislative Department

The following Act of Parliament received the assent of the President on the 1st September, 1974, and is hereby published for general information:—

The Additional Emoluments (Compulsory Deposit) Act, 1974

No. 37 of 1974

[*1st September 1974.*]

An Act

to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title, extent and commencement.

1. (*1*) This Act may be called the Additional Emoluments (Compulsory Deposit) Act, 1974.

(*2*) It extends to the whole of India.

(*3*) It shall be deemed to have come into force on the 6th day of July, 1974, except section 14 which shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means the 6th day of July, 1974;

(*b*) "additional dearness allowance" means such dearness allowance as may be sanctioned from time to time, after the appointed day, over and above the amount

of dearness allowance payable in accordance with the rate in force immediately before the date from which such sanction of additional dearness allowance is to take effect.

Explanation I.—Where payment of dearness allowance is linked to a cost of living index or any other factor, any automatic payment, after the appointed day, of dearness allowance in consequence of any rise in such cost of living index or in consequence of any change in such other factor shall, notwithstanding the provisions of this clause, be deemed to be the additional dearness allowance.

Explanation II.—For the purpose of computation of the additional dearness allowance in relation to an employee who enters into any post after the appointed day, dearness allowance payable, immediately before the appointed day, in relation to such post shall be deemed to be the dearness allowance payable to such employee as if he were holding that post on the appointed day and any excess over and above the said dearness allowance shall be deemed, for the purposes of this Act, to be the additional dearness allowance in relation to such employee;

(*c*) "additional wages" means such wages, over and above the wages payable to an employee in accordance with the rates in force immediately before the appointed day, as may become payable to the employee in respect of any period after the appointed day in pursuance of any wage revision, whether by or under an agreement or settlement between the parties or any award, decree or order of any court, tribunal or other authority or otherwise, but does not include—

(*i*) any increment due to the employee in accordance with the time scale of pay applicable to the post held by him immediately before the appointed day, and any consequent increase in any allowance (not being dearness allowance) admissible under any rule or order in force immediately before the appointed day;

(*ii*) any higher wages payable to the employee on his—

(*a*) promotion to a higher post and any increment, being an increment within the prescribed limits, due to the employee in such higher post;

(*b*) deputation or transfer to an equivalent post or to any post involving higher responsibilities and duties;

(*iii*) any special pay, honorarium, fee or reward payable for any special work done;

(*iv*) any remuneration payable for overtime work;

(*v*) any increase in wages consequent on the revision of the minimum rates of wages fixed under the Minimum Wages Act, 1948; 11 of 1948.

(*vi*) any increase in wages sanctioned in pursuance of the recommedations made—

(*a*) by the Third Central Pay Commission;

(*b*) before the appointed day, by any Pay Commission appointed by a State Government, in relation to the employees of that Government;

(*c*) by any committee constituted, before the appointed day, by Parliament, Supreme Court or any High Court in relation to any employee of Parliament, Supreme Court or High Court, as the case may be.

Explanation I.—Where any wage revision made after the appointed day is to be effective from a date prior to the appointed day, the wages payable immediately before the appointed day, before such wage revision, shall, for the purposes of computation of additional wages, be deemed to be the wages.

Explanation II.—Any bonus (including incentive and production bonus) paid after the appointed day at a rate over and above the rate at which it was last paid before the appointed day, shall be deemed for the purposes of this Act, to be additional wages;

(*d*) "bank deposit rate" means the highest of the maximum rates at which interest may be paid on different classes of deposits (other than those maintained in savings account or those maintained by charitable or religious institutions) by different classes of scheduled banks in accordance with the directions given or issued to banking companies generally by the Reserve Bank of India under the Banking Regulation Act, 1949;

10 of 1949.

(*e*) "dearness allowance" means all cash payments, by whatever name called, made to an employee on account of rise in the cost of living;

(*f*) "Deposit Account" means an account opened and maintained under section 5;

(*g*) "emoluments" includes wages and dearness allowance;

(*h*) "employer" means,—

(*i*) in relation to an establishment which is a factory, the owner or occupier of the factory, including the agent of such owner or occupier, and where a person is named as manager of the factory under clause (*f*) of sub-section (*1*) of section 7 of the Factories Act, 1948, the person so named;

63 of 1948.

(*ii*) in relation to an establishment belonging to or under the control of the Central Government or a State Government, the person or authority appointed by the appropriate Government for the supervision and control of the employees, or where no person has been so appointed, the head of the Department concerned;

(*iii*) in relation to an establishment belonging to or under the control of any local authority, the person appointed by such authority for the supervision and control of the employees, or where no person has been so appointed, the Chief Executive Officer of the local authority;

(*iv*) in any other case, the person who, or the authority which, has the ultimate control over the affairs of the establishment, and where the said affairs are entrusted to any other person, whether called a manager, managing director or by any other name, such person;

and includes, in the case of a deceased employer, the legal representative of such deceased employer;

(*i*) "local authority" means any municipal committee, district board, body of port commissioners, panchayat or other authority legally entitled to, or entrusted by the Central or any State Government with the control or management of any municipal or local fund;

(*j*) "nominated authority" means such authority as may be nominated by the Central Government for the purposes of this Act and different authorities may be nominated for different purposes;

(*k*) "notification" means a notification published in the Official Gazette;

(*l*) "prescribed" means prescribed by rules made under this Act;

(*m*) "scheme" means a scheme framed under this Act;

(*n*) "specified authority" means the authority specified under sub-section (*1*) of section 5;

(*o*) "wages" means all remuneration (whether by way of salary, allowances or otherwise) expressed, or capable of being expressed, in terms of money, which would, if the terms of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes—

(*i*) any remuneration payable under any agreement, or settlement between the parties or any award, decree or order of any court, tribunal or other authority;

(*ii*) any remuneration to which the person employed is entitled in respect of overtime work or holidays or any leave period;

(*iii*) any additional remuneration payable under the terms of employment, including bonus, whether under a scheme of profit sharing or otherwise;

(*iv*) any sum to which the person employed is entitled under any scheme framed under any law for the time being in force;

(*v*) any allowance paid for house accommodation, or where house accommodation is provided, the value of such accommodation, and the value of electricity or water, or both, supplied, and the value of medical attendance or other amenity,

but does not include—

(*1*) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;

(*2*) any travelling or running allowance or the value of any travelling concession;

(*3*) any sum, not exceeding rupees two hundred and fifty per annum, paid to the employed person to defray special expenses entailed on him by the nature of his employment;

(*4*) any compensation or gratuity payable on the termination of employment;

(*5*) any dearness allowance.

Persons to whom this Act applies.

3. This Act shall apply to an employee of—

(*a*) the Central or State Government;

(*b*) a local authority;

(*c*) a company as defined in section 3 of the Companies Act, 1956, including a foreign company within the meaning of section 591 of the Companies Act, 1956, and a Government company as defined in section 617 of that Act; **1 of 1956.**

(*d*) any other corporation, including a society or body established by, or registered under, a Central, Provincial or State Act;

(*e*) any individual, association of persons or body of individuals, partnership firm or Hindu undivided family required by the Income-tax Act, 1961 to deduct income-tax at source from the emoluments paid to their employees; 43 of 1961.

(*f*) any establishment owned or maintained in India by a trust, fund or institution established for a charitable or religious purpose, and required by the Income-tax Act, 1961, to deduct income-tax at source from the emoluments paid to their employees; 43 of 1961.

(*g*) any establishment, not being an establishment owned by Government, local authority or person specified, respectively, in clauses (*a*) to (*f*) (both inclusive), to which the provisions of any law relating to provident funds (other than those established under the Public Provident Fund Act, 1968) apply; 23 of 1968.

(*h*) any other establishment, not being an establishment to which any of the foregoing clauses apply, established at the instance, or in pursuance of a resolution, of the Central or State Government or wholly or substantially financed by the Central or State Government.

Explanation.—Where any grant or loan to an establishment from the Consolidated Fund of India or of any State or of any Union territory having a Legislative Assembly in a financial year is not less than rupees five lakhs and the amount of such grant or loan is not less than seventy-five per cent. of the total expenditure of that establishment, such establishment shall be deemed, for the purposes of this Act, to be substantially financed by the Central or State Government, as the case may be.

Act to have overriding effect.

4. The provisions of this Act shall have effect notwithstanding anything inconsitent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

CHAPTER II

COMPULSORY DEPOSIT OF ADDITIONAL EMOLUMENTS

Additonal Wages Deposit Account and Additional Dearness Allowance Deposit Account.

5. (*1*) There shall be opened by such authorities as may be specified in the scheme two separate accounts, to be known, respectively, as the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, and different authorities may be specified for different establishments or different categories of employees or establishments.

(*2*) The specified authority shall, in relation to each Deposit Account, open a separate ledger account in the name of each employee in relation to whom any contribution is made to the said Account, and credit the contributions so made in the said ledger account.

Duty of employer or other person to make deductions of additional wages and additional dearness allowance from emoluments.

6. (*1*) For the purposes of this Act, the deductions specified in sub-section (*2*) shall be made,—

(*a*) in the case of additional wages, for a period of one year from the appointed day; and

(*b*) in the case of additional dearness allowance, for a period of two years from the appointed day.

(*2*) On the commencement of this section,—

(*a*) every employer who draws, from the Consolidated Fund of India or of any State or of any Union

territory having a Legislative Assembly, and disburses, after the appointed day, emoluments of an employee to whom this Act applies, shall, as and when emoluments are disbursed by him for any period, deduct from the emlouments so disbursed, the whole of the additional wages and one-half of the additional dearness allowance and credit the amount so deducted, in accordance with the scheme, to the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, respectively;

(*b*) every other employer, who disburses, after the appointed day, emoluments to any employee to whom this Act applies, shall, as and when emoluments are disbursed by him for any period, deduct form the emoluments so disbursed, the whole of the additional wages and one-half of the additional dearness allowance, and shall remit, in accordance with the scheme, the amounts so deducted to the nominated authority and on receipt of such amounts the nominated authority shall credit the amounts so received to the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, respectively;

(*c*) any employee, to whom this Act applies, who draws, after the appointed day, his own emoluments shall,—

(*i*) if he is employed in an establishment owned or maintained by Government, make deductions from his salary bill in respect of the whole of the additional wages and one-half of the additional dearness allowance and the specified authority shall credit the amount so deducted, in accordance with the scheme, to the Additional Wages Deposit Account and the Additional Deparness Allowance Deposit Account, respectively;

(*ii*) if he is employed in any other establishment, remit the whole of the additional wages and one-half of the additional dearness allowance, in accordance with the scheme, to the nominated authority, and on receipt of such amount, the nominated authority shall credit the amount so received to the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, respectively.

Explanation.—In computing the amount to be credited to the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account, the amount contributed in relation to such additional wages or additional dearness allowance shall not—

(*a*) to the extent of the contribution which is compulsorily required to be made to any provident or other fund under any law for the time being in force; or

(*b*) to the extent of the contribution made to any other provident fund, recognised under any other law for the time being in force, at a rate not exceeding the rate at which such contribution was being made immediately before the appointed day,

be taken into account.

(*3*) The specified authority shall, as soon as may be practicable after the end of each year, prepare separately, in relation to the amounts credited to the respective Deposit Accounts to the credit of each employee, and furnish to the employee a copy of the said accounts showing there in the amounts credited thereto in relation to the employee.

Deposits to carry simple interest.

7. (*1*) Every amount credited under section 6, in relation to an employee in a Deposit Account, shall carry simple interest at a rate, which shall be two and a half per cent. over and above the bank deposit rate.

(*2*) The interest due on the amount credited in any Deposit Account shall be calculated in such manner as may be specified in the scheme.

(*3*) Interest accruing on amounts credited under section 6 to any Deposit Account shall enure to the benefit of the employees in relation to whom such amounts have been credited.

(*4*) For the purpose of the deductions under section 80L
43 of 1961. of the Income-tax Act, 1961, interest received on a deposit under this Act shall be deemed to be interest received on a
10 of 1949. deposit with a banking company to which the Banking Regulation Act, 1949, applies.

Assessment for the purpose of income-tax.

8. (*1*) For the purposes of computing, under the Income-
43 of 1961. tax Act, 1961, the total income of an employee, the amount credited to his ledger account in the Additional Wages Deposit Account or the Additional Dearness Allowance Deposit Account shall not be included in his total income of the previous year in which it is so credited; but so much of the amount as is repaid to him shall be liable to be included in his total income of the previous year in which it is repaid.

43 of 1961. (2) For the purposes of computing, under the Income-tax Act, 1961, the total income of an employee, the amount repaid to him under this Act shall be deemed to be salary paid to him in arrears and the provisions of sub-section (*1*) of section 89 of that Act shall apply accordingly.

Explanation.—In this section, "previous year" and "total income" have the meanings respectively assigned to them in
43 of 1961. the Income-tax Act, 1961.

Repayment of deposits.

9. (*1*) Subject to the provisions of sub-section (2), every amount credited to the Deposit Accounts shall be repayable with interest due thereon.—

(*a*) in the case of an amount credited to the Additional Wages Deposit Account, at any time after the expiry of one year from the appointed day; and

(*b*) in the case of an amount credited to the Additional Dearness Allowance Deposit Account at any time after the expiry of two years from the appointed day:

Provided that nothing in this section shall prevent earlier repayment of any amount credited to either of the Deposit Accounts with interest due thereon in any case in which any person authorised by the Central Government in this behalf is satisfied that extreme hardship will be caused unless such repayment is made:

Provided further that an employee may, at his option, retain the whole or any part of the amount credited in relation to him in the Additional Wages Deposit Account or the Additional Dearness Allowance Deposit Account, or both, until his superannuation or until such date as may be specified by the Central Government in this behalf:

Provided also that the whole of the amount standing to the credit of an employee (not being an employee in a seasonal establishment) in either or both of the Deposit Accounts shall be repaid to him on his superannuation or resignation from office or on the termination of his employment.

(2) The aggregate amount credited to any Deposit Account by or in relation to an employee shall be repaid to the employee in five equal annual instalments commencing from the expiry of one year or two years, as the case may be, from the appointed day, together with interest due on the whole, or, as the case may be, part of the amount of compulsory deposit which remains unpaid.

Power of Central Government to frame schemes.

10. (1) The Central Government shall, by notification, frame one or more schemes in relation to the amounts credited to the Deposit Accounts under this Act.

(2) A scheme framed under sub-section (1) may provide for—

(a) the authorities by which the Additional Wages Deposit Account and the Additional Dearness Allowance Deposit Account shall be opened and maintained;

(b) the time and manner in which amounts deducted from additional wages or additional dearness allowance shall be deducted and credited to the respective Deposit Account;

(c) the documents to be issued to persons in relation to whom amounts have been credited to the Deposit Accounts as evidence of such credit;

(d) authority or authorities by or through which credits to the Deposit Accounts may be made;

(e) the accounts to be maintained with respect to the amounts credited to the Deposit Accounts and the officer by whom such Accounts shall be maintained;

(f) the nomination of persons to receive the amount standing in a Deposit Account to the credit of an employee in the event of his death, and cancellation or change of such nomination;

(g) the issue of duplicate of any document issued as evidence of any credit in the event of loss or destruction of the original and the fee, not exceeding rupees two, on the payment of which such duplicate may be issued;

(h) repayment of amounts credited to the Deposit Accounts with interest due thereon and the conditions, if any, under which such repayment may be made;

(i) any other matter which may be necessary or proper for the effective implementation of the scheme.

(3) A scheme framed under this section may provide that all or any of its provisions shall take effect, either prospectively or retrospectively, on such date, not being a date earlier than the appointed day, as may be specified in this behalf in the scheme and every scheme framed under this section shall have effect notwithstanding anything contained in any law (other than this Act) for the time being in force or in any instrument having effect by virtue of any enactment other than this Act.

(4) The Central Government may make a scheme to add to, amend or vary any scheme framed under sub-section (1).

Rounding off.

11. Where the amount of any credit to be made in any Deposit Account contains a part of a rupee, then, such part, if it is fifty paise or more, shall be increased to one complete rupee and if it is less than fifty paise, it shall be ignored.

CHAPTER III

MISCELLANEOUS

Amounts to be first charge in the case of insolvency or liquidation of the employer.

12. (*1*) Where any amount required by this Act to be credited to any Deposit Account or remitted to a nominated authority has not been so credited or remitted by any employer, the amount in respect of which such omission or failure was made, together with interest due thereon calculated at the rate specified in sub-section (*1*) of section 7, shall, in the event of the employer being adjudicated by any court to be insolvent or, being a company is ordered by any court to be wound up, be deemed to be first charge on the assets of the insolvent or of the company, as the case may be, and shall have priority over all other debts and be paid in full.

(*2*) The court shall cause the sum which is required, under sub-section (*1*), to be paid in priority to all other debts to be remitted to the nominated authority for crediting the same to the appropriate Deposit Account.

Transfer of establishments.

13. Where an employer, in relation to an establishment to which this Act applies, transfers that establishment in whole or in part by sale, gift or otherwise or grants any licence in respect of such establishment, the employer and the person to whom the establishment is so transferred or the licence is so given shall be jointly and severally liable to credit to the appropriate Deposit Account or, as the case may be, remit to the nominated authority, the sums which are required by this Act to be so credited or remitted:

Provided that the liability of the transferee or licensee shall be limited to the value of the assets obtained by him on such transfer or licence, as the case may be.

Penalties.

14. (*1*) Whoever, with a view to—

(*a*) avoiding making any deduction of additional wages and additional dearness allowance and crediting the same to the Additional Wages Deposit Account or the Additional Dearness Allowance Deposit Account, as the case may be, or

(*b*) aiding or abetting any other person to avoid making any such deduction or credit,

knowingly makes, or causes to be made, any statement or representation which he knows to be false or does not believe to be true, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(*2*) Any employer who omits or fails to credit to any Deposit Account or remit any amount to the nominated authority, as and when such credit or remittance becomes due under this Act or any scheme framed thereunder, shall be punished—

(*a*) with imprisonment for a term which shall not be less than three months but may extend—

(*i*) in the case of the first offence, to six months, and

(*ii*) in the case of any second or subsequent offence, to one year:

Provided that the court may, for any adequate and special reasons, to be recorded by it in the judgment, impose a sentence of imprisonment for a term lesser than three months or a fine in lieu of imprisonment; and

(*b*) also with fine which shall not be less than the amount which has not been cerdited to a Deposit Account or remitted to the nominated authority as required by this Act, and the interest due thereon, calculated at the rate specified in sub-section (*1*) of section 7, but may extend to twice the said amount and the interest due thereon, and out of the fine, if realised, the court trying the offence shall cause an amount equal to the amount which has not been credited to a Deposit Account or remitted to the nominated authority with interest due thereon, to be remitted to the nominated authority for crediting the same to the appropriate Deposit Account, and on such amount being remitted to the nominated authority, the liability of the employer shall, to the extent of the amount so remitted by the court, stand discharged.

(*3*) Whoever contravenes any provision of this Act or any scheme or order made thereunder for which no penalty has been separately provided for shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Offences by companies.

15. (*1*) Where any offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm, and, in relation to a Hindu undivided family, means the Karta of such family.

Cognizance of offences.

16. No court shall take cognizance of any offence punishable under this Act except upon a complaint made by the Central Government or any officer or authority authorised in writing by the Central Government in this behalf.

Power to exempt.

17. Where the Central Government is of the opinion that it is necessary or expedient so to do either in the public interest or having regard to the peculiar circumstances of any case, it may, by notification, and subject to such conditions, if any, as it may specify in the notification,—

(*a*) exempt any establishment or category of employees working in any establishment from the operation of all or any of the provisions of this Act;

(*b*) exempt, in the case of extreme hardship to any employee, from crediting any amount in relation to such employee to the Additional Wages Deposit Account;

(*c*) empower deductions from additional wages in relation to an employee or class of employees, at a rate lesser than the rate specified in this Act.

Power to deligate.

18. The Central Government may, by notification, direct that any power which may be exercised by it under this Act or any scheme framed under this Act shall, subject to such restrictions and conditions, if any, as it may specify in the notification, be exercised also by—

(*a*) such officer or authority subordinate to the Central Government; or

(*b*) such State Government or such officer or authority subordinate to a State Government; or

(*c*) such other person or authority,

as may be specified in the notification:

Provided that the powers conferred by section 10 and section 24 shall not be delegated under this section.

Protection against attachment.

19. (*1*) The amount standing to the credit of any employee in any Deposit Account shall not be liable to attachment under any decree or order of any court in respect of any debt or liablility incurred by the employee.

(*2*) Any amount standing to the credit of an employee in any Deposit Account at the time of his death and payable to his nominee under the scheme shall vest in the nominee and shall be free from any debt or other liability incurred by the deceased or incurred by the nominee before the death of the employee.

Power to call for returns and inspect accounts.

20. (*1*) The nominated authority or any officer authorised by the nominated authority in this behalf may call for such returns, as may be prescribed, from any employer to whom this Act applies.

(*2*) The books of account and other books and papers of any employer to whom this Act applies shall be open to inspection by the nominated authority or any person authorised by the Central Government in this behalf during business hours:

Provided that such inspection may be made without giving any previous notice to the employer or any officer of the employer.

(*3*) The nominated authority or any authorised officer may, during the course of inspection,—

(*i*) make, or cause to be made, copies of the books of account and other books and papers;

(*ii*) place, or cause to be placed, any marks of identification thereon in token of the inspection having been made.

(*4*) If after inspections the nominated authority or the authorised officer finds that any additional wages or additional dearness allowance has not been credited by the employer to the appropriate Deposit Account or as the case may be, remitted to the nominated authority, it or he shall determine the amount in respect of which such credit or remittance has not been made:

Provided that no such determination shall be made except after giving to the employer a reasonable opportunity of being heard.

(5) It shall be the duty of every employer to whom this Act applies, to furnish to the nominated authority a copy of the award, decree or order of any court, tribunal or other authority or agreement or settlement relating to wage revision or revision of dearness allowance and also to produce such books of account and other books and papers as the nominated authority or the officer making the inspection may require.

(6) Where any revision of wages or dearness allowance is made otherwise than in pursuance of any award, decree or order of any court, tribunal or other authority or agreement or settlement, the employer shall give an intimation to the nominated authority about such revision of wages or dearness allowance and furnish to the nominated authority such books of account and other books and papers as that authority may require.

Protection of action taken in good faith.

21. No suit or other legal proceeding shall lie against the Central Government or any State Government or any officer authorised by the Central or State Government to discharge any functions under this Act, for any loss or damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any scheme framed thereunder.

Persons performing functions under this Act to be public servants.

22. Any person to whom any power of the Central Government is delegated under section 18 or who is authorised to exercise any power specified in section 20 shall, if he is not a public servant, be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Recovery of arrears.

23. Without prejudice to the provisions of section 14, any amount which ought to have been credited under this Act to a Deposit Account or remitted to the nominated authority but has not been so credited or remitted in accordance with the provisions of this Act or scheme or order made thereunder, shall be payable by the employer, together with interest due thereon calculated at twice the rate at which interest is payable under sub-section (1) of section 7, and in default of such payment, such amount, together with interest due thereon at the aforesaid rate, shall be recoverable as an arrear of land revenue:

Provided that where any such amount has been recovered by the court under sub-section (2) of section 14, the said amount shall not be recoverable under this section.

Power to make rules.

24. The Central Government may, by notification, make rules to carry out the provisions of this Act.

Rules and schemes to be laid before Parliament.

25. Every rule and every scheme made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or the scheme, or both Houses agree that the rule or scheme should not be made, the rule or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or scheme.

26. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty: **Power to remove difficulties**

Provided that no such order shall be made after the expiry of a period of two years from the appointed day.

8 of 1974. **27.** (*1*) The Additional Emoluments (Compulsory Deposit) Ordinance, 1974 is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed (including any appointment, exemption, nomination, direction or order made thereunder) shall be deemed to have been done or taken under the corresponding provisions of this Act; and the repeal of the said Ordinance shall not affect any penalty or punishment incurred in respect of any offence committed against the said Ordinance or any investigation or legal proceeding in respect of such penalty or punishment and any such investigation or legal proceeding may be instituted or continued and any such penalty or punishment may be imposed as if section 12 and other provisions of the said Ordinance, necessary for the purposes aforesaid, had been included in this Act. **Repeal and saving.**

K. K. SUNDARAM,

Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF HEALTH AND FAMILY PLANNING

Public Health

NOTIFICATIONS

No. P.H/2395/2A-7/74.—20th September 1974.—In exercise of the power conferred by sub-section (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) (hereinafter referred to as the said Act), the Governor is pleased hereby to constitute with effect from the 20th September 1974, a State Board under the name of the West Bengal Prevention and Control of Water Pollution Board consisting of the following members, namely:

(a) *A full-time Chairman nominated by the Governor under clause (a) of sub-Section (2) of section 4 of the said Act*

1. Shri S. K. Ghoshal of the West Bengal Senior Public Health Engineering Service (Civil).

(b) *Five officials nominated by the Governor under clause (b) of sub-section (2) of section 4 of the Said Act*

2. Shri D. P. Chatterjea, Engineer-in-chief and ex-officio Secretary, Irrigation and Waterways Department, West Bengal.
3. Dr. K. C. Basu Mullick, Director of Health Services and ex-officio Secretary, Department of Health and Family Planning, West Bengal.
4. Shri U. Chatterjee, Director of Industries, West Bengal.
5. Shri B. N. Sen, Chief Engineer (I), Public Health Engineering, West Bengal.
6. Shri S. N. Chaudhuri, Chief Inspector of Factories, West Bengal.

(c) *Five persons nominated by the Governor under clause (c) of sub-section (2) of section 4 of the said Act*

7. Shri P. C. Mittra, Chairman, Commissioners for the Port of Calcutta.
8. Shri B. N. Banerji, Member, Calcutta Improvement Trust.
9. Shri Jadugopal Sen, Chairman, Rishra Municipality.

10. Shri Ganga Prasad Shah, Chairman, Titagarh Municipality.

11. Shri Samarendra Prasad Sinha, Chairman, Bansberia Municipality.

(d) *Three non-officials nominated by the Governor under clause (d) of sub-section (2) of section 4 of the said Act*

12. Shri Habibur Rahaman, M.L.A.—representing the interest of agriculture.

13. Shri Susanta Haldar, P.O. Majdia, district Nadia—representing the interest of fisheries.

14. Shri B. H. Singhania, Chairman, Indian Jute Mills Association—representing the interests of industries and trade.

(e) *Two persons nominated by the Governor under clause (e) of sub-section (2) of section 4 of the said Act*

15. Shri S. K. Majumdar, Special Engineer, West Bengal Industrial Infrastructure Development Corporation.

16. Shri K. K. Das Gupta, Deputy Managing Director, Durgapur Projects Limited.

(f) *A full-time member-secretary appointed by the Governor under clause (f) of sub-section (2) of section 4 of the said Act*

17. Shri Sisir Kumar Mitra of the West Bengal Senior Public Health Engineering Service (Civil).

By order of the Governor,
A. SEN,
Secy. to the Govt. of West Bengal.

No. P.H./2396/2A-7/74.—20th September 1974.—In exercise of the power conferred by clause (a) of sub-section (2) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Governor is pleased hereby to nominate Shri S. K. Ghosal of the West Bengal Senior Public Health Engineering Service (Civil) as the Chairman of the West Bengal Prevention and Control of Water Pollution Board constituted under Notification No. PH/2395/2A-7/74, dated the 20th September 1974.

By order of the Governor,
A. SEN,
Secy. to the Govt. of West Bengal.

No. PH/2397/2A-7/74.—20th September 1974.—In exercise of the power conferred by clause (f) of sub-section (2) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Governor is pleased hereby to appoint Shri Sisir Kumar Mitra of the West Bengal Senior Public Health Engineering Service (Civil) as a full-time Member-Secretary of the West Bengal Prevention and Control of Water Pollution Board with effect from 20th September 1974, the date on which the said Board has been constituted.

By order of the Governor,
A. SEN,
Secy. to the Govt. of West Bengal.

No. PH/2404/2R-11/74.—20th September 1974.—In exercise of the power conferred by sub-section (1), and, in particular, by clause (b) of sub-section (2), of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Governor is pleased hereby to make the following rules, namely:

RULES

1. *Short title and commencement.*—(1) These rules may be called the West Bengal Prevention and Control of Water Pollution (Conduct of Business) Rules, 1974.

(2) They shall come into force on 20th September 1974.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

(a) "the Act" means the Water (Prevention and Control of Pollution) Act, 1974;

(b) "Board" means the West Bengal Prevention and Control of Water Pollution Board constituted under sub-section (1) of section 4;

(c) "Chairman" means the Chairman of the Board;

(d) "member" means a member of the Board;

(e) "Member-Secretary" means a Member-Secretary of the Board;

(f) "section" means a section of the Act.

3. *Meetings.*—(1) The place, date and time of a meeting shall be fixed by the Member-Secretary with the approval of the Chairman.

(2) A notice of each meeting indicating place, date and time of the meeting shall be sent by the Member-Secretary to each member at least ten days before the date of the meeting:

Provided that the Chairman may at any time call a meeting at forty-eight hours' notice to transact any business which in his opinion is of an urgent nature

(3) A copy of the agenda of the meeting and where necessary a copy of the explanatory note on the items of discussion shall be sent to each member before the meeting:

Provided that in case of a meeting for the consideration of the Budget Estimate for the ensuing financial year and the Revised Estimate for the current financial year the notice shall be accompanied by a copy of the draft estimate and by a note sufficient to explain the estimates.

(4) No resolution of the Board shall be invalid only on the ground that insufficient notice of the meeting or agenda has been given.

(5) If at any meeting one-third of the members present object to the determination of any question on the ground of insufficiency of notice, the Chairman shall postpone the discussion of that question to the next meeting, and if any objection is made by any member before the proceedings are confirmed at the next meeting, the Chairman shall lay the objection before the Board for decision when the proceedings are placed on the table for confirmation.

4. *Quorum.*—The quorum of any meeting of the Board shall be one-third of the total number of the members for the time being of the Board.

5. *President of the meeting.*—The Chairman shall preside over every meeting and in his absence the members present shall elect one from among themselves to preside over the meeting.

6. *Adjourned meeting.*—If at any meeting no quorum is present, the Chairman or the member who presides over the meeting shall, subject to the provision of sub-rule (2) of rule 7, adjourned the meeting to such date and time as he thinks fit and at such adjourned meeting any number of members present shall form the quorum.

7. *Business to be transacted at an adjourned meeting.*—(1) At an adjourned meeting no business shall be transacted other than that which was fixed for the meeting originally convened.

(2) Not less than seven days' notice of the adjourned meeting shall be given to all members of the Board including those who were absent from the meeting.

8. *Casting vote.*—In the event of an equality of votes the Chairman or the member presiding over the meeting shall have a second or casting vote.

9. *Consideration of additional subject.*—Nothing in this rule shall prevent any subject being considered at the meeting although no notice of such subject has been circulated, provided the members present unanimously agree to consider that subject.

10. *Decisions to be taken by majority of votes.*—All questions which come before the members at a meeting shall be decided by the majority of votes of the members present and each member shall have one vote. Voting by proxy shall not be permitted.

11. *Minutes of meetings.*—(1) The minutes of every meeting and the resolution passed thereat shall be recorded by the President of the meeting who may be assisted in this regard by the Member-Secretary.

(2) Copies of the minutes shall be circulated to all members before the next meeting.

12. *Confirmation of minutes of the meeting.*—(1) The minutes of every meeting shall be laid before the next succeeding meeting for confirmation.

(2) The Board may refuse to confirm the minutes or any part thereof of any meeting on any of the following grounds, namely:

(a) that the notice prescribed was not sent to every member;

(b) that the minutes have not been correctly recorded;

(c) that any resolution recorded at an adjourned meeting did not relate to any part of the business to be transacted at the original meeting.

(3) If any objection is raised by a member to the confirmation of the minutes or any part thereof on any of the grounds specified in sub-rule (2), the President of the meeting shall in any case of doubt put the matter to vote.

By order of the Governor,
S. P. KAR,
Dy. Secy. to the Govt. of West Bengal.

No. PH/2405/2R-11/74.—20th September 1974.—In exercise of the power conferred by sub-section (1), and, in particular, by clause (g) of sub-section (2), of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Governor is pleased hereby to make the following rules, namely:

RULES

1. *Short title and commencement.*—(1) These rules may be called the West Bengal Prevention and Control of Water Pollution (Powers and Duties of the Chairman and the Member-Secretary) Rules, 1974.

(2) They shall come into force on 20th September 1974.

2. *Definition.*—In these rules, unless there is anything repugnant in the subject or context,—

(a) "the Act" means the Water (Prevention and Control of Pollution) Act, 1974;

(b) "Board" means the West Bengal Prevention and Control of Water Pollution Board constituted under sub-section (1) of section 4;

(c) "Chairman" means the Chairman of the Board;

(d) "member" means a member of the Board;

(e) "Member-Secretary" means the Member-Secretary of the Board;

(f) "section" means a section of the Act.

3. *Functions of Chairman.*—(1) The Chairman shall perform such functions as are required to be done by the Chairman under the provisions of the Act and the rules made thereunder.

(2) The general administration of the Board shall, subject to the provisions of the Act and the rules made thereunder vest in the Chairman.

4. *Functions of Member-Secretary.*—(1) The Member-Secretary shall—

(a) subject to the general superintendence and control of the Chairman, be responsible for the day-to-day administration of the Board including supervision of staff;

(b) be responsible for carrying out any direction given by the Board or the Chairman for implementing the objects and purposes of the Act;

(c) be responsible for the maintenance of accounts and records of the Board;

(d) be responsible for the preparation of Budget Estimate of receipt and expenditure including Revised Estimates of the previous year and shall cause such estimates being placed before the meeting of the Board with the approval of the Chairman.

(2) The Member-Secretary shall forward the Budget Estimates and Revised Estimates to the State Government after approval of the Board.

By order of the Governor,
S. P. KAR,
Dy. Secy. to the Govt. of West Bengal.

No. P.H./2409/2R-11/74.—20th September 1974.—In exercise of the power conferred by sub-section (1), and in particular, by clauses (a) and (e) of sub-section (2), of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Governor is pleased hereby to make the following rules, namely:

RULES

1. *Short title and commencement.*—(1) These rules may be called the West Bengal Prevention and Control of Water Pollution (Conditions of Service and Emoluments and Allowances of Chairman, Members and Member-Secretary of the Board) Rules, 1974.

(2) They shall come into force on 20th September 1974.

2. *Definitions.*—In these rules, unless there is anything repugnent in the subject or context,—

(a) "the Act" means the Water (Prevention and Control of Pollution) Act, 1974.

(b) "Board" means the West Bengal Prevention and Control of Water Pollution Board constituted under sub-section (1) of section 4;

(c) "section" means a section of the Act.

3. *Terms and conditions of service of the full-time Chairman of the Board.*—(1) The Chairman shall be full-time member of the Board and his tenure of service shall be regulated as laid down in section 5 of the Act.

(2) The post shall be filled up by the State Government by deputation of an officer of the State Government possessing qualifications as laid down in clause (a) of sub-section (2) of section 4.

4. *Terms and conditions of service of the Member-Secretary of the Board.*—(1) The Member-Secretary shall be a full-time member of the Board.

(2) The post shall be filled up by the State Government by deputation of an officer of the West Bengal Senior Public Health Engineering Service (Civil) possessing the qualifications as laid down in clause (f) sub-section (2) of section 4.

(3) The emoluments of the Member-Secretary shall be regulated by the rules of the State Government in this behalf.

(4) Other service conditions of the Member-Secretary shall be the same as applicable to permanent officers of the State Government under the West Bengal Service Rules.

5. *Fees of attendance at meetings.*—A fee of fifty rupees shall be paid to each member other than the Chairman and the Member-Secretary of the Board who attends any meeting of the Board at which a quorum is present and business is transacted, and at which he is present from the beginning to the end thereof:

Provided that the fee referred to above shall not be paid to member of the Board if such member is a salaried officer of the State Government, Central Government a local authority or a public undertaking.

6. *Travelling Allowance of member other than the Chairman and the Member-Secretary.*—(1) Every member of the Board, other than the Chairman and the Member-Secretary, shall be entitled to travelling allowances for journey undertaken in respect of the affairs of the Board.

(2) The rates of travelling allowances shall be the following, namely:

(a) for a member of the Board who is a salaried officer of the State Government, Central Government, a local authority or a public undertaking—at the rates admissible to him under the travelling allowances rules governing his employment.

(b) for other members of the Board—at the rates as admissible to Class I officers of the State Government;

Provided that if a member of the Board is a member of the Parliament or a member of the State Legislature his travelling allowances shall be governed by Appendix I of the West Bengal Service Rules, Part II.

7. *Leave of absence.*—leave of absence may be granted—

(a) by the Chairman to a member of the Board including the Member-Secretary, and

(b) by the State Government to the Chairman of the Board.

By order of the Governor,
S. P. KAR,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF HEALTH AND FAMILY PLANNING

Public Health

NOTIFICATION

No. PH/2410/2R-12/74.—20th September 1974.—In exercise of the power conferred by sub-section (1) and in particular by clause (o) of sub-section (2), of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Governor is pleased hereby to make the following rules, namely :—

RULES

1. **Short title and commencement.**—(1) These rules may be called the West Bengal Prevention and Control of Water Pollution (Finance) Rules, 1974

(2) They shall come into force on 20th September 1974.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

(a) "the Act" means the Water (Prevention and Control of Pollution) Act, 1974 ;

(b) "Board" means the West Bengal Prevention and Control of Water Pollution Board constituted under sub-section (1) of section 4 ;

(c) "Section" means a section of the Act ,

(d) "Chairman" means the Chairman of the Board ;

(e) "Member-Secretary" means the Member-Secretary of the Board ;

(f) "Year" means the financial year commencing from the first of April.

3. **Fund of the Board.**—(1) The Board shall have a Fund to be called West Bengal Prevention and Control of Water Pollution Board Fund to which all moneys received by the Board shall be credited.

(2) All orders and cheques for payments from the Fund, shall be made in the manner as laid down in rule 4.

4. **Opening of Account with the State Bank.**—(1) An account shall be opened with the State Bank of India in Calcutta in the name of the Fund and such account shall be operated upon by cheque or payment orders signed by the Member-Secretary and countersigned by the Chairman. Cheques drawn in favour of the Board shall be endorsed by the Chairman or the Member-Secretary.

(2) The Member-Secretary shall receive all moneys payable to the Board. He may at any time retain in his hand a sum not exceeding one thousand rupees to meet different items of current expenditure. The balance shall be lodged in the Bank to the credit of the Board.

5. **Maintenance of Cash Book.**—(1) A cash book shall be maintained by the Member-Secretary in Form No. 1.

(2) The Member-Secretary shall immediately bring into account in the cash book all moneys received or spent by the Board.

6. **Financial Power of the Member-Secretary.**—(1) The Member-Secretary may purchase any one article not exceeding one hundred rupees in value. No expenditure exceeding one hundred rupees shall be incurred and no article the value of which exceeds one hundred rupees shall be purchased by the Member-Secretary without the previous sanction of the Chairman.

(2) A bill or any other voucher presented as a claim for money shall be received and examined by the Member-Secretary: If the claim be for a sum not exceeding one hundred rupees he shall pay it. If the claim be for a sum exceeding one hundred rupees payment shall not be made until it has been examined and passed by the Chairman.

7. **Revised and Budget Estimates.**—(1) In the month of August each year and not later than the fifteenth of the month an estimate of the receipt and of the expenditure of the Board for the ensuing year commencing on the 1st of April next and the Revised estimates of receipt and expenditure of the Board for the current year shall be prepared by the Member-Secretary in Form No. 2 and laid before the Board.

(2) Such estimate shall make provision for the fulfilment of the liabilities of the Board and for effectually carrying out its objects. It shall include on its receipts side, besides all receipts ordinarily anticipated, grant likely to be made by the State Government.

(3) The Board shall consider the estimate so submitted to it and shall forward the same to Government with such modifications as the Board may deem fit by the first of October every year.

8. **Annual Accounts.**—The annual accounts of the Board shall be prepared by the Member-Secretary in Form No. 3 immediately after the close of the year.

9. **Annual Audit of the Accounts.**—(1) The accounts of the Board shall be audited annually as soon as possible after the close of the financial year by an auditor duly qualified to act as an auditor of companies under section 226 of the Companies Act, 1956 to be appointed by the State Government on the advice of the Comptroller and Auditor-General of India.

(2) The Chairman or the Member-Secretary shall, at the time of audit, cause to be produced all accounts, registers, documents and subsidiary papers which may be required by the auditor for the purpose and shall also provide facilities to the auditor of inspection of office or offices of the Board if the auditor considers such inspection necessary.

(3) The auditor shall send a copy of his report with an audited copy of the accounts to the State Government.

(4) The State Government may, if it so thinks, make its comments on the audited accounts and send it to the Chairman.

(5) On receipt of such comments the Chairman shall place the audited accounts with the comments of the State Government before the Board for consideration and shall inform the State Government of the action taken by the the Board in the matter.

FORM NO. 1

[*See* rule 5(1)]

Cash Book of the West Bengal Prevention and Control of Water Pollution Board.

Receipt							Disbursements							
Date	From whom received.	On what account	Amount		Daily Total		Date	Remittance to the Bank.	To whom paid	On what account	Amount		Daily Total	
			Rs.	P.	Rs.	P.					Rs.	P.	Rs.	P.
Total Receipts							Total Payment							
Opening Balance							Balance in Hand							
Grand Total							Grand Total							

Signature of the Member-Secretary.

FORM NO. 2

[*See* Rule 7(1)]

Receipts	Actuals 19..	Budget Estimate 19..	Revised Estimate 19..	Budget Estimate 19..
	Rs.	Rs	Rs.	Rs.
1 Grants from the State Government				
2. Grants, donations, benefactions from other sources ..				
3. Receipts for services rendered				
4. Other receipts				
Total ..				

Expenditure	Actuals 19..	Budget Estimate 19..	Revised Estimate 19..	Budget Estimate 19..
	Rs.	Rs.	Rs.	Rs.
1. Pay and allowances of Chairman and Member-Secretary ..				
2. Allowances, Fees of Members of the Board, Committee, etc.				
3. Pay and allowances of Staff				
4. Pensionary and leave salary contributions				
5. Payments of fees for services utilised				
6. Contingencies—				
(a) House rent				
(b) Office expenses including stationaries				
(c) Other contingent expenditure				
Total ..				

FORM NO. 3

(*See* rule 8)

Annual Account of the West Bengal Prevention and Control of Pollution Board for the year ended on 31st March 19 .

Expenditure	Rs.	P.	Receipt	Rs.	P.
1. Pay and allowances of Chairman and Member-Secretary.			1. Garnts from the State Government ..		
2. Allowances, Fees of Members of the Board, Committee, etc.			2. Grants, donations, etc from other sources.		
3. Pay and allowances of staff .			3. Receipts for services rendered ..		
4. Pensionary and leave salary contributions..			4. Other receipts.		
5. Payments of fees for services utilised ..					
6. Contingencies-					
(a) House rent					
(b) Office expenses including stationeries					
(c) Other contingent expenditure ..					
Total ..					

Signature of the Member-Secretary.

By order of the Governor,
S. P. KAR,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATIONS

No. 4701/M3L-17/74.—20th September 1974.—In exercise of the power conferred by clause (bb) of sub-section (1) of section 554 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), as applied to Chandernagore, hereinafter referred to as the said Act, and in partial modification of Notification No. 4043/M1M-56/74, dated the 19th July 1974, the Governor is pleased to direct that all the powers and duties which may, under the provision of the said Act or any other Act or any Ordinance or any Regulation or any Rule, by-law, order, notification or subsidiary legislation, made under the provisions of the said Act or such other Act or such Ordinance or such Regulation, be exercised and performed by the Mayor, by the Councillors and by the Aldermen, whether at a meeting or otherwise, of the Chandernagore Municipal Corporation whose term of supersession has been extended up to 31st March 1975 by Government Notification No. 4043/M1M-56/74, dated the 19th July 1974, shall be exercised and performed by Shri Arun Kumar Chakraborty, Special Officer, Grade II and Executive Officer, Champdany Municipality, in addition to his own

duties, with effect from the date he takes over charge from Shri N. K. Das, W.B.C.S., Administrator, Chandernagore Municipal Corporation, proceeding on leave with effect from 3rd October 1974.

By order of the Governor,
T. N. DE,
Asstt. Secy. to the Govt. of West Bengal.

No. 4709/MIM-60/72(Part III).—21st September 1974.—In exercise of the powers conferred by sub-sections (2) and (3) of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), hereinafter referred to as the said Act, and in partial Modification of Notification No. 3305/MIM-60/72(Pt.III), dated the 10th July 1974, read with Notification No. 4368/MIM-60/72(Pt.III), dated the 20th August 1974, the Governor is pleased to appoint Shri Manindra Chandra Basu Mallick, W.B.J.C.S., (retired), to be the Executive Officer of the Bhatpara Municipality in the district of 24-Parganas, with effect from the date he takes over charge of the Bhatpara Municipality from Shri R. K. Moitra, Deputy Magistrate and Deputy Collector, Barasat, and Executive Officer, Bhatpara Municipality, and to confer and impose upon him the same powers and duties of the Chairman and the Commissioners of the Bhatpara Municipality as were conferred and imposed upon the Executive Officer of the said Municipality in Notification No. 4501/MIM-60/72, dated the 30th September 1972.

2. Notification No. 4368/MIM-60/72(Pt.III), dated the 20th August 1974, appointing Shri Sushil Kumar Sengupta, W.B.C.S. (retired), as Executive Officer, Bhatpara Municipality, is hereby cancelled.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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PART V—Acts of the Parliament of India assented to by the President and Ordinances promulgated by the President

GOVERNMENT OF INDIA

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

THE MAINTENANCE OF INTERNAL SECURITY (AMENDMENT) ORDINANCE, 1974

No. 11 of 1974

Promulgated by the President in the Twenty-fifth Year of the Republic of India.

[*17th September, 1974.*]

An Ordinance further to amend the Maintenance of Internal Security Act, 1971.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (*1*) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (*1*) This Ordinance may be called the Maintenance of Internal Security (Amendment) Ordinance, 1974. **Short title and commencement.**

(*2*) It shall come into force at once.

2. During the period of operation of this Ordinance, the Maintenance of Internal Security Act, 1971 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3, 4 and 5. **Act 26 of 1971 to be temporarily amended.**

Amendment of section 2.

3. In section 2 of the principal Act, after clause (*c*), the following clause shall be inserted, namely:—

'(*cc*) "smuggling" has the same meaning as in clause (*39*) of section 2 of the Customs Act, 1962 and all its grammatical variations and cognate expressions shall be construed accordingly;'. 52 of 1962.

Amendment of section 3.

4. In section 3 of the principal Act, in sub-section (*1*),—

(*a*) in clause (*b*), the word "or" shall be inserted at the end;

(*b*) after clause (*b*), the following clause shall be inserted, namely:—

"(*c*) if satisfied with respect to any person (including a foreigner) that with a view to preventing him from acting in any manner prejudicial to the conservation of foreign exchange or with a view to preventing him from—

(*i*) smuggling goods, or

(*ii*) abetting other persons to smuggle goods, or

(*iii*) dealing in smuggled goods,".

Insertion of new section 16A.

5. After section 16 of the principal Act, the following section shall be inserted, namely:—

Cases in which and circumstances under which persons may be detained for longer than three months without obtaining opinion of Advisory Board.

'16A. (*1*) Notwithstanding anything contained in this Act, any person (including a foreigner) in respect of whom an order of detention has been made under this Act may be detained without obtaining the opinion of the Advisory Board for a period longer than three months but not exceeding one year from the date of his detention, where the order of detention has been made against such person with a view to preventing him from smuggling goods or abetting other persons to smuggle goods, and the Central Government has reason to believe that such person—

(*i*) smuggles or is likely to smuggle goods, or

(*ii*) abets or is likely to abet other persons to smuggle goods,

into, out of or through any specified area as defined in clause (*c*) of section 11H of the Customs Act, 1962. 52 of 1962.

(*2*) In the case of any person (including a foreigner) to whom sub-section (*1*) applies, sections 10 to 13 shall have effect subject to the following modifications, namely:—

(*a*) in section 10, for the words "shall, within thirty days", the words "may, at any time prior to but in no case later than three months before the expiration of one year" shall be substituted;

(*b*) in section 11,—

(*i*) in sub-section (*1*), for the words "from the date of detention", the words "from the date on which reference is made to it" shall be substituted;

(*ii*) in sub-section (*2*), for the words "the detention of the person concerned", the words "the continued detention of the person concerned" shall be substituted;

(*c*) in section 12, for the words "for the detention" in both the places where they occur, the words "for the continued detention" shall be substituted;

(*d*) in section 13, for the words "twelve months", the words "two years" shall be substituted.'.

FAKHRUDDIN ALI AHMED,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATIONS

No. 20141F.S./FS/14R-32/74.—24th September 1974.—In exercise of the power conferred by paragraph 16 of the West Bengal Rationing Order, 1964, the Governor is hereby pleased to make, with effect from the 23rd September 1974, the following amendments in the Calcutta Industrial Area Rationing Regulations, 1964, as subsequently amended (hereinafter referred to as the said Regulations), namely:

Amendments

In the said Regulations—

(1) for Schedule B, substitute the following Schedule, namely:—

"SCHEDULE B

(See Regulation 19.)

Rice husked and in the husk and weat—2000 grams in the case of an adult and 1000 grams in the case of a child:

Provided that rice husked and in the husk and wheat may be obtainable either singly or in any combination but in no case the maximum quantity that may be obtainable in rice husked and in the husk will exceed 500 grams for an adult and 250 grams for a child.";

(2) for Schedule B2, substitute the following Schedule, namely:—

"SCHEDULE B2

(See Regulation 19B.)

The unit of a ration card shall be valued as follows:—

Rice husked and in the husk and wheat—1000 grams:

Provided that rice husked and in the husk and wheat may be obtainable either singly or in any combination but in no case the maximum quantity that may be obtainable in rice husked and in the husk per unit of a ration card will exceed 250 grams.".

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

No. 20142F.S./FS/14R-32/73.—24th September 1974.—In exercise of the power conferred by paragraph 16 of the West Bengal Rationing Order, 1964, the Governor is hereby pleased to make, with effect from the 23rd September 1974, the following amendments in the Calcutta Industrial (Extended) Area Rationing Regulations, 1964, as subsequently amended (hereinafter referred to as the said Regulations), namely:

Amendments

In the said Regulations—

(1) for Schedule B, substitute the following Schedule, namely:—

"SCHEDULE B

(See Regulation 19)

Rice husked and in the husk and wheat—2000 grams in the case of an adult and 1000 grams in the case of a child:

Provided that rice husked and in the husk and wheat may be obtainable either singly or in any combination but in no case the maximum quantity that may be obtainable in rice husked and in the husk will exceed 500 grams for an adult and 250 grams for a child.";

(2) for Schedule B2, substitute the following Schedule, namely:—

"SCHEDULE B2

(See Regulation 19B)

The unit of a ration card shall be valued as follows:—

Rice husked and in the husk and wheat —1000 grams:

Provided that rice husked and in the husk and wheat may be obtainable either singly or in any combination but in no case the maximum quantity that may be obtainable in rice husked and in the husk per unit of a ration card will exceed 250 grams.".

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

No. 20143F.S./FS/14R-32/73.—24th September 1974.—In exercise of the power conferred by paragraph 16 of the West Bengal Rationing Order, 1964, the Governor is hereby pleased to make, with effect from the 23rd September 1974, the following amendment in the West Bengal Urban Area Rationing Regulations, 1966, as subsequently amended (hereinafter referred to as the said Regulations), namely:

Amendment

In the said Regulations—

for Schedule C, substitute the following Schedule, namely:—

"SCHEDULE C

(See Regulation 18)

The unit of a ration card shall be valued as follows:—

Rice husked and in the husk and wheat —1000 grams:

Provided that rice husked and in the husk and wheat may be obtainable either singly or in any combination but in no case the maximum quantity that may be obtainable in rice husked and in the husk per unit of a ration card will exceed 250 grams.".

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Development

NOTIFICATION

No. 20434-L. Dev./5D-2/74.—25th September 1974.—Whereas the Governor is satisfied that land altogether measuring, more or less, 10·05 acres or 4·0662 hectares within the area described below (hereafter referred to as the said area) is needed for a public purpose, viz., for the settlement of immigrants who have migrated into the State of West Bengal on account of circumstances beyond their control ;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 4 of the West Bengal Land Development and Planning Act, 1948 (West Bengal Act XXI of 1948), the Governor is pleased hereby to declare the said area to be a notified area.

Description of the land

Mouza Arakpur, jurisdiction list No. 39, police-station Jadavpur, district 24-Parganas.

Cadastral survey plots in full—625 and 629.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
89	South and south-eastern corner.	·04	·0162
90	South-east corner ..	·02	·0081
91	North, south and north-eastern.	·20	·0809
108	North-east corner ..	·11	·0445
183	South, middle and north east.	1·35	·5462
265	North-east corner ..	·05	·0202
267	Northern	·08	·0324
268	Southern	·17	·0688
269	South-east corner ..	·04	·0162
273	South-east corner ..	·07	·0283
286	South-east corner	·03	·0121
287	South-east and middle ..	·03	·0121
288	North-east and middle ..	·47	·1902
289	South-west corner, west and east.	·20	·0809
290	Eastern	·06	·0243
291	Middle	·11	·0445
300	North and middle ..	·70	·2833
301	South and west ..	·15	·0607
302	East, west, south and middle	1·32	·5341

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
601	North and east ..	·05	·0202
602	Eastern and western ..	2·55	1·0317
603	East, west and south ..	·23	·0931
604	Eastern	·25	·1012
624	Eastern and northern ..	·30	·1214
626	West, north and east ..	·23	·0931
627	Southern	·05	·0202
630	Eastern and western ..	·37	·1497
897	Eastern	·10	·0405

Mouza Gobindapur, jurisdiction list No. 38, police-station Jadavpur.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.	Area in acre.	Area in hectare.
201	South-east corner ..	·04	·0162
305	North-east corner ..	·08	·0324
306	Northern, southern and western	·43	·1740

This notification is made, under the provisions of section 4 of the West Bengal Land Development and Planning Act, 1948 (West Bengal Act XXI of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Collector, Calcutta, New Secretariat Buildings, 8th floor, Block "A", Calcutta.

In exercise of the powers conferred by the aforesaid section, the Governor is pleased hereby to authorise the Collector for the time being engaged in the undertaking and the Refugee Rehabilitation Commissioner, West Bengal, with their officers, servants and workmen to enter upon and survey the land and do all other acts required or permitted by the section.

By order of the Governor,

S. GHOSH,

Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 20193F.S./FS/9S-9/72.—26th September 1974. —In exercise of the powers conferred by sub-rule (2), read with clause (a) of sub-rule (3), of rule 114 of the Defence of India Rules, 1971, the Governor is pleased hereby to make the following amendments in this Department order No. 19452F.S./FS/9S-9/72, dated the 24th August 1974, published in Part I of the "Calcutta Gazette, Extraordinary" of even date (hereinafter referred to as the said order), namely:

Amendments

In the said order—

(i) in paragraph 1, for the words "on the relevant railway or steamer receipts" substitute the words "on the relevant railway or steamer receipts or any other valid document";

(ii) in paragraph 2, for the words "railway or steamer recept" substitnte the words steamer receipt" substitute the words valid decument".

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF MUNICIPAL SERVICES

NOTIFICATION

No. 4761/MIM-71/74.—25th September 1974.—Whereas Government in their notification No. 2047/MIM-172/72, dated the 11th May 1974, issued an order under section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), declaring that the Joynagar-Mazilpur Municipality in the district of 24-Parganas shall have an Executive Officer for a period of six months from the date on which the Executive Officer assumes charge of his office;

And whereas the said period of appointment is due to expire on the 16th November 1974;

And whereas, in the opinion of the Governor, an extension of the said period of appointment is necessary;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 67A of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the period of appointment of the Executive Officer for a further period up to the 31st March 1975.

2. In exercise of the powers conferred by sub-sections (2) and (3) of section 67A of the said Act, the Governor is further pleased hereby to direct that Shri A. K. Biswas, Block Development Officer, Joynagar-1, shall continue as the Executive Officer of the Jaynagar-Mazilpur Municipality during the said extended period and that during this period the Executive Officer shall exercise and perform the powers and duties conferred and imposed upon him by Government notification No. 2047/MIM-172/72, dated the 11th May 1974.

By order of the Governor,
K. P. GORAI,
Dy. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

24-PARGANAS —No 20612-LA(P W)/II-416/73 — 27th September 1974 —Whereas 2 2865 hectares (5 65 acres) more or less, of land situate in or near the village of Sibchandrapur described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for irrigation and drainage, namely, for excavation of Branch Channel of Sealdahgong Basin Drainage scheme from chainage 217.00 to chainage 231.50 .

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforsaid

This notice is given under the provisions of sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, 24-Parganas (North), Bhabani Bhawan, Calcutta-27

Description of the land

Mauza Sibchandrapur, jurisdiction list No. 26, police-station Basirhat, district 24-Parganas.

Revisional survey plots in full—442, 444, 471, 480, 481, 482 and 529.

Revisional survey plots in part—

Plot No.	Specific portion of the plot.	Area in Acre	Area in hectares
424	Middle portion ..	.50	.2023
437	Southern portion .	.26	.1052
440	Southern portion ..	.025	.0101
441	Except .08 from North west portion	.99	.4006
443	Southern portion ..	.035	.0141
445	Except .04 from North east portion	.34	.1376
446	South west corner ..	.015	.0060
450	South west portion	.02	.0081
451	Western portion ..	.04	.0162
460	Western portion ..	.93	.3764
470	Northern portion ..	.16	.0648
472	North west portion	.94	.3804
473	Western portion ..	.08	.0324
474	Northern portion ..	.25	.1012
478	Northern portion ..	.05	.0202
479	Northern portion ..	.07	.0283
483	North east corner ..	.015	.0060

By order of the Governor,

S. GHOSH,

Spl. Officer and Dy. Secy. (ex officio) to the Govt. of West Bengal.

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PART I—Orders and notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Transport

NOTICE

No. 1973-STA/10T-55/74.—25th September 1974 —As required under rule 109E(d) of the Bengal Motor Vehicles Rules, 1940, it is notified for the information of all concerned that in response to the notice published in the newspapers on 8th July 1974 seven applications, particulars of which are given below, have been received from persons holding contract carriage permits for the entire State of West Bengal in relation to Tourist Cab and Tourist Omnibus, for grant of All-India Endorsement under section 63(7) of the Motor Vehicles Act, 1939 :

Serial No.	Name and address of applicants.	Type of vehicle.	Registration mark of vehicle.	Date of registration.	Contract carriage permit No.	Validity.
1.	Messers Annapurna Bus Service, 43 Bazaz Mohal, Barrackpore.	Tourist Omnibus.	WBY-1984	26-10-73	P.Co.P.96	14-12-75.
2.	Messers Sovana Sons, 57A Karbala Tank Lane, Calcutta-6	Tourist Omnibus.	WBY-3077	13-12-73	P.Co.P.129	14-12-76.
3.	Director of Tourism, Government of West Bengal, 2 Brabourne Road, Calcutta-1.	Tourist Cab.	WBY-1385	20-8-73	P.Co.P.144	14-7-77.
4.	Shri Tribhuban Kumar Varma, 192 Karnani Estate, Calcutta-17.	Tourist Cab.	WBY-3069	12-11-73	P.Co.P.127	19-11-76.
5.	Shri Aparna Bandhab Chatterjee, 57A Karbala Tank Lane, Calcutta-6.	Tourist Cab.	WBY-3059	29-9-73	P.Co.P.133	30-1-77.
6.	Shri Samir Kanti Chatterjee, E-1/57B Barrage Road, Durgapur-2.	Tourist Cab.	WBY-3062	1-10-73	P.Co.P.123	22-10-76.
7.	Shri Salil Kumar Ghosh, 7A Beltala Road, Calcutta-26.	Tourist Cab.	WBY-3117	3-7-74	P.Co. P.143	3-7-77.

2. Applications are available for inspection at the office of the State Transport Authority, West Bengal, Block No. II, Top Floor, Writers' Buildings, Calcutta-1, on any working day during office hours.

3. The applications and the representations, if any, made by any person who holds a permit on which endorsement has been made under rule 109E of the Bengal Motor Vehicles Rules or by any local authority or police authority in the State of West Bengal and received by the Secretary, State Transport Authority, West Bengal, on or before the 16th November 1974, will be considered by the State Transport Authority, West Bengal, on a date and at a place to be notified later.

D. CHAKRABARTI,
Secy., State Transport Authority, West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

HOME DEPARTMENT

Political

NOTIFICATIONS

No. 8189-P.—27th September 1974.—In exercise of the power conferred by sub-section (2) of section 9 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938 (Act 5 of 1938), the Governor is pleased hereby to authorise the carrying out of field firing and Artillery Practice throughout the areas in the district of Darjeeling, described in the Schedule below, during the period commencing on the 7th November 1974 and ending on the 31st October 1976 (both days inclusive).

The Schedule

The areas bounded—

(1) On the North by Nimbong Khas Mohal Block, cadastral survey plot No. 366, Southern portion of cadastral survey plot No. 321 measuring 58.16 acres (bounded on the North by Northern portion of cadastral survey plot No. 321, on the West by cadastral survey plot Nos. 1104, 1224 and 1109, on the South by cadastral survey plot Nos. 1361, 317, and 319 and on the East by cadastral survey plot Nos. 316, 1355 and 320) cadastral survey plot Nos. 1169, 1220 and 331, part of cadastral survey plot No. 203 measuring 1272 acres (bounded on the North by northern portion of cadastral survey plot No. 230, on the West by cadastral survey plot Nos. 1336 and 1335, on the South by cadastral survey plot Nos. 254, 1341 and 1340, and on the East by cadastral survey plot Nos. 251, 1509 and 246); cadastral survey plot Nos. 1336, 229, 184, 227, 211, 1101, 212, 112, 25, 1471, 1470, 21, 20, 19, 908, 906, 907, 932, 933, 934, 936, 935, 1288, 836, 1042, 938, 939, 965, 959, 962, 1281, 969, 966, 980, 983, 984 and 985, all of Pabringtar Khasmahal Block and cadastral survey plot No. 927 of Yangmakum Khasmahal Blocks.

(2) On the West by the cadastral survey plot Nos. 926, 919, 921, 907, 906, 908, 909, 933, 586, 885, 1425, 919, 293, 294, 1046, 1465, 860, 982, 883, 1025, 1024, 292, 279, 278, 1043, 1042, 269, 1238, 277, 276, 275, 1235, 1241, 273, 274, 1267, 220, 221, 222, 216, 256, 1233, and 248 all of Yangmakum Khasmahal Block and western part of Mongpong forest (starting from the base of the Mongpong forest quarters).

(3) On the South by Mongpong and Lish forest, to the North of National Highway by a margin of 500 feet, wherever it passes through these forests; and

(4) On the East by Churanthi and Ramthi forests and Nimbong Khasmahal Block.

By order of the Governor,
S. B. MAZUMDAR,
Jt. Secy. to the Govt. of West Bengal.

No. 8190-P.—27th September 1974.—In exercise of the power conferred by sub-section (2) of section 9 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938 (Act 5 of 1938), the Governor is pleased hereby to authorise the carrying out of field firing and artillery practice throughout the areas in the district of Darjeeling, described in the Schedule below, during the period commencing on the 7th November 1974 and ending on the 31st October 1976 (both days inclusive).

The Schedule

Range "A"

The areas bounded—

(1) On the North by Fagu Forest Compartments 6, 7 and 8,

(2) On the East by Fagu Tea Garden and right Bank of Chel river up to the point where it meets the boundary of Jalpaiguri district.

(3) On the South by along the right bank of Chel river from the point where it meets Jalpaiguri district up to a distance of 3, 100 yards South-West ward, (x) and

(4) On the West by Noam Forest Compartment 2, along the left bank of Managzing Khola, starting from the point where it meets the boundary of Jalpaiguri district Southwards till it meets the point marked (X) above.

Range "B"

The areas bounded—

(1) On the North by Sakam forest cadastral survey plot Nos. 2/249, 150, 4/248 and 220/247 of Dalim Khas Mahal Block; then from the North-Western corner of cadastral survey plot No. 4, the line goes straight to westward, passing through Ambeok and Fagu Tea Gardens up to a distance of 1,700 yards;

(2) On the West then the line turns at right angle Southward, passing through Fagu Tea Garden up to the distance of 110 yards, making the western boundary;

(3) On the South then again the line turns at right angle Eastward, passing through Fagu Tea Garden up to a distance of 1,250 yards, and joins South-Western corner of cadastral survey plot No. 1466 of Gorubathan Khas Block, then the line runs along the boundary of Fagu Tea Garden and Gorubathan Khas Mahal Block until it meets the South-Western corner of cadastral survey plot No. 889 of Gorubathan Khas Mahal Block, then it is bounded by cadastral survey plot Nos. 868, 872, 879 and 911 of Gorubathan Khas Mahal Block, all these making the Southern boundary, and

(4) On the North by cadastral survey plot Nos. 885, 450, 908, 1690, 1688, 909, 904, 1925, 763, 764, 765, 756, 757, 1756, 807, 1296, 749, 750, 751, 809, 674, 672, 666, 1390, 667, 669, 1450, 821, 1380, 822 and 1369, all of Gorubathan Khas Mahal Block.

Range "C"

The areas bounded—

(1) On the North by Sakam Forest Compartment 8 and Dalimkota 6;

(2) On the East by Sakam Forest Compartments 5 and 6;

(3) On the South by Sakam Forest Compartments 6 and 7, cadastral survey plots Nos. 1432, 419, 1455, 491, 421, 422, 474, 424 and 425, all of Gorubathan Khas Mahal Block and Fagu Tea Garden, and

(4) On the West by Dalimkota Forest Compartment 6 and cadastral survey plots Nos. 597, 1637, 598, 927, 587, 582, 1567, 581, 1568, 544, 543, 539, 1857, 1470, 1472, 1473, 574, 1928, 412, 1855 and 1435, all of Gorubathan Khas Mahal Block.

Range "P"

The areas bounded—

(1) On the North by Mongpong Forest Compartments 2 and 4;

(2) On the East by Mangpong Forest Compartments 4 and 7;

(3) On the South by from the junction of Tista river and the Railway line (Western corner of Sevoka Railway Bridge) up to a distance of 550 yards South-Eastward along the boundary between Darjeeling and Jalpaiguri districts, Mongpong Forest Compartment 7; and

(4) On the West by Tista river.

Range "Z"

The areas bounded—

(1) On the North by Ramthi Forest Compartment 7;

(2) On the West by Churanthi Forest Compartments 4 and 7, and Ramthi Forest Compartments 4 and 7;

(3) On the South by boundary line between Darjeeling and Jalpaiguri districts; and

(4) On the East by from North-Eastern corner of Ramthi Forest Compartment 6 along the right bank of Gish river up to the point where it meets Jalpaiguri district.

By order of the Governor,

S. B. MAZUMDAR,

Jt. Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

EDUCATION DEPARTMENT

Primary

NOTIFICATION

No. 1302-Edn(P)./6G-1/72.—11th September 1974.—In exercise of the power conferred by sub-section (1) and in particular, by clause (r) of sub-section (2) of section 66 of the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendment in the rules published with this department notification No. 3767-Edn., dated the 1st November 1935, as subsequently amended (hereinafter referred to as the said rules), namely:

Amendment

In the said rules for clause (c) of rule 26, substitute the following clause, namely:

"(c) The gratuity shall in no case exceed Rs. 2,000".

This amendment shall be deemed to have come into force with effect from the 1st April 1974.

By order of the Governor,

B. N. CHATTERJEE,

Jt. Secy. to the Govt. of West Bengal.

DEPARTMENT OF FOOD AND SUPPLIES

ORDER

No. 20219-F.S./FS/CG/6P-2/72. — 27th September 1974.—In exercise of the power conferred by clause 10 of the Cement Control Order, 1967, published with Government of India, Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development) order No. S.O. 4590/IDRA 18G/67, dated the 23rd December 1967, in Part II, section 3, sub-section (ii) of the "Gazette of India, Extraordinary", of the 26th December 1967 as subsequently amended the Governor is pleased hereby to make, with effect from 15th September 1974, the following further amendments in order No. 3125-F.S./FS/CG/14R-18/67, dated the 22nd April 1968, published at pages 1147-1148 of Part I of the "Calcutta Gazette, Extraordinary", of the 22nd April 1968 as subsequently amended (hereinafter referred to as the said order), namely:

Amendments

In the said order—

(a) in Table II, for the entries in column (2) against the entries "Calcutta" and "Districts" respectively in column (1), substitute the following entries, namely:

"312.66
312.66".

By order of the Governor,
S. B. RAY,
Secy. to the Govt. of West Bengal.

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ASVINA 6] SATURDAY, SEPT. 28, 1974 [SAKA 1896

PART IA.—Orders and Notifications of the Government of India, Statutory Notifications of the Election Commission, India, and other Election Notifications published for general information. Orders and Notifications which have originally been published in the "Gazette of India" are only republished.

GOVERNMENT OF INDIA

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

NOTIFICATION

New Delhi, the 28th September 1974.

G S.R.—In exercise of the powers conferred by clause (x) of section 5 and sub-section (3) of section 6 read with sub-section (1) of section 16A of the Calcutta Port Act, 1890 (Bengal Act III of 1890), the Central Government hereby appoints the following persons as Commissioners for the Port of Calcutta, representing Labour, for the period up to the 31st March 1976, namely:

(1) Shri Makhan Chatterjee.

(2) Shri Indrajit Gupta

[F. No. PTB-1/74]

K. L. GUPTA, Dy Secy.

to the Govt. of India

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

OFFICE OF THE COMMISSIONER OF POLICE, CALCUTTA

ORDER

Whereas information has been received from credible sources that violent demonstrations are likely to take place resulting in large-scale disturbances of the public tranquillity and breach of the peace in the area mentioned in the Schedule below in the town of Calcutta (hereinafter referred to as the said area);

And whereas I, S C. Chaudhuri, Commissioner of Police, Calcutta, being an Executive Magistrate for the Metropolitan area of Calcutta, have been specially empowered by the State Government under notification No. 2504-G A., dated the 1st April 1974, to act under section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974),

And whereas, in my opinion, there is sufficient ground for proceeding under the said section for immediate prevention of disturbances of the public tranquillity and breach of the peace within the said area in the town of Calcutta;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 144 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), read

with sub-section (3) of the said section, I, the said S. C. Chaudhuri, Commissioner of Police, Calcutta, and an Executive Magistrate for the Metropolitan area of Calcutta, do hereby prohibit from the Twenty-ninth day of September 1974, until further orders, any assembly of five or more persons, or any procession, or the carrying of any lathis or other dangerous weapons, or the doing of any act which is likely to cause a disturbance of the public tranquillity and breach of the peace within the said area in the town of Calcutta.

The Schedule

The area around the Corporation buildings on S. N. Banerjee Road, within the jurisdiction of Taltola police-station in the town of Calcutta bounded—

On the North by—S. N. Banerjee Road from its crossing with Hogg Street up to its crossing with Chowringee Place;

On the East by—Hogg Street;

On the South by—Chowringhee Place from its crossing with Hogg Street up to its crossing with Bertram Street including Market Square; and

On the West by—Chowringhee Place from its crossing with S. N. Banerjee Road up to its crossing with Bertram Street.

(Roads mentioned are all included.)

Explanation: In this Order, the "Town of Calcutta" means the town of Calcutta as defined in section 3 of the Calcutta Police Act, 1866 (Bengal Act IV of 1866).

Given under my hand and seal this the Twenty-ninth day of September 1974.

S. C. CHAUDHURI,
Commissioner of Police, Calcutta,
and
Executive Magistrate for the
Metropolitan area of Calcutta.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

DEPARTMENT OF FOOD AND SUPPLIES

NOTIFICATION

No. 20249/F.S./FS/14R-23/72(Pt-I). — 30th September 1974.—In exercise of the power conferred by paragraph 3B of the West Bengal Rationing Order, 1964, as subsequently amended, the Governor is pleased hereby to make the following amendment in this Department Notification No. 19793-F.S./FS/14R-23/72(Pt.I), dated the 12th November 1973, published in Part I of the "Calcutta Gazette, Extraordinary", of the 12th November 1973 (hereinafter referred to as the said notification), namely:

Amendment

In the Schedule appended to the said notification, after item 4 and the entries relating thereto, insert the following items and entries, namely:—

"5. Flour.

6. Atta.

7. Salt."

By order of the Governor,

S. B. RAY,

Secy. to the Govt. of West Bengal.

LAND UTILISATION AND REFORMS AND LAND AND LAND REVNUE DEPARTMENT

Evacuee Property Administration

NOTIFICATION

NADIA.—No. 20674-E-P.A./5E-1/73. — 27th September 1974.—In exercise of the power conferred by sub-section (1) of section 14 of the West Bengal Evacuee Property Act, 1951 (West Bengal Act V of 1951), the Evacuee Property Management Committee for West Bengal is hereby pleased, with the approval of the State Government, to reappoint Shri B. C. Moitra, Deputy Magistrate and Deputy Collector (Retired), since re-employed as Special Land Acquisition Officer, Nadia, as Administrative Officer to assist the Committee in exercise or discharge of its powers, duties and functions under the said Act within the district of Nadia for the period he has been re-employed as Special Land Acquisition Officer, Nadia.

By order of the Committee,

S. K. MITRA,

Secy., Evacuee Property Management Committee for West Bengal.

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GOVERNMENT OF WEST BENGAL

DEPARTMENT OF HOUSING

Cell-III

NOTIFICATION

No. 1932-HIII. — 30th September 1974.—In exercise of the power conferred by sub-section (1) of section 29 of the West Bengal Housing Board Act, 1972 (West Bengal Act XXXII of 1972), the Governor is pleased hereby to transfer to the West Bengal Housing Board (hereinafter referred to as the "Board"), with effect from the date of publication of this notification in the "Calcutta Gazette", the assets of the State of West Bengal described in the schedule below, along with its liabilities as incurred by the State, subject to the terms and conditions as prescribed in the aforesaid schedule.

The Schedule

A. Description of the assets

I. A parcel of land measuring more or less twelve acres being the south-western part of block EB of sector I of the Salt Lake City (also known as Bidhan Nagar) and comprising cadastral survey plot Nos. 137, 140, 165, 170, 171 and 172 of mauza Gharbhanga Purba, jurisdiction list No. 29, police-station Dum Dum, district 24-Parganas, and butted and bounded on the—

North—By Type VI Road of the said sector,

East—By land belonging to the Central Public Works Department,

South—By Type II Road of the said sector, and

West—By Type II Road of the said sector.

II. A newly-built Housing Estate, called the "Labony", on the twelve-acre land as aforesaid, comprising sixty-three four-storied blocks of buildings containing in all seven hundred residential flats of various types and sizes and having other common areas and facilities, namely, thirty garages, community hall, primary school building, shopping centre, open spaces, twelve servants' quarters, internal roads and thoroughfares, lighting and swerage and water-supply arrangement, complete with all necessary amenities, and constructed by the Government as per plan for sale outright or on hire-purchase basis to eligible persons and organisations in implementation of the Government scheme to provide housing accommodation to the Low Income Group and Middle Income Group people urgently in need of such housing.

B. Terms and conditions of transfer

1. The land and buildings and the common areas and facilities shall be utilised by the Board solely for the purpose of housing for which the aforesaid twelve-acre land was utilised and Housing Estate was constructed thereon by the Government.

2.The total amount of Rs. 1,42,86,000, being the cost on account of construction, inclusive of the land cost, land development cost, interest charges and departmental charges, incurred by the State, shall be treated as loan (hereinafter referred to as the said loan) granted by the State to the Board.

3. All debts and expenditure incurred, all contracts entered into and all matters and things engaged to be done by, with or for the State Government in respect of the assets and liabilities hereby transferred before and up to the date of transfer shall be deemed to have been incurred, entered into or engaged to be done with or for the Board and all suits and other legal proceedings instituted or which may be instituted by or against the State Government in respect of such assets shall be continued or instituted by or against the Board, as the case may be.

4. The said loan shall bear an interest at the rate of six and three quarters per cent per annum from the date of transfer and the said loan shall be repayable along with interest thereon at the rate aforesaid by the Board to the State in twenty years by equated half-yearly instalments, payable on the 31st March and 30th September each year, the first of such instalments being payable on or before 31st March 1975.

5. If any of the aforesaid half-yearly instalments be not paid by the Board on the due date thereof, then the entire balance of the said loan remaining due shall, at the option of the State, become immediately due and payable by the Board to the State, and without prejudice to such right, such over due half-yearly instalment of equated payment shall carry interest at the rate of seven and half per cent per annum, computed from the respective due date of such equated instalment accruing due upon the footing of compound interest at the rate aforesaid.

6. The Board shall pay all rates and taxes and other impositions, if any, in respect of the subject matter of the present transfer to the authority to which such rates, taxes and other impositions are payable by the present transferor.

7. The Board shall take all necessary steps expeditiously for sale of all the residential flats or apartments together with the common areas and facilities comprised in the said Housing Estate to eligible persons or organisation or both either outright or on hire-purchase basis at a price considered by the Board as fair and reasonable, and make over possession of the respective flat or apartment together with the right of reasonable user and enjoyment of the common areas and facilities to the purchasers concerned upon execution by them of proper, legal documents ensuring good and effective management of the Housing Estate, as a whole, by the apartment owners and maintenance of clean and sanitary conditions, free from any nuisance in and around the said Estate, and shall submit a report to the Government of West Bengal of their having done so.

8. The Board shall not make any further excavation or construction on the land without prior consent in writing of the Department of Housing and shall not allow the land and the apartments or any portion thereof to be used for any purpose other than residential without prior consent of the Department, as aforesaid.

9. The Board shall not carry on or allow to be carried on in the land and buildings any unlawful activities or activities which may be considered offensive or a source of nuisance to the surrounding areas or subversive to the Government established by law in India.

10. The Board shall not allow the land, or any portion of it, to be used as burial or cremation ground, private or public, or allow any shrine, masjid, church or temple to be erected thereon.

11. The Board shall allow any person authorised by the Public Works Department of this Government to inspect, repair or clean the drainage line and sewer lines and manholes or do any work in connexion therewith without any obstruction or hindrance.

By order of the Governor,

A. K. MAJUMDAR,

Secy. to the Govt. of West Bengal.

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

LAND UTILISATION AND REFORMS AND LAND AND LAND REVENUE DEPARTMENT

Land Acquisition

NOTICE

BURDWAN.—No. 20829L.A./(P.W.)2R-1/74.—30th September 1974.—Whereas 8·7210 hectares (21·55 acres), more or less, of land situated in or near the villages of Alisha, Gopalnagar, Bamchandaipur and Becharhat described below have been requisitioned under sub-section (1) of section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948, by the person authorised under section 3(1A) of the Act for the public purpose of providing facilities for transport and communication, namely, for the construction of Burdwan Bye Pass to N. H. 2;

Now, therefore, notice is hereby given that in pursuance of section 4 of the said Act, the Governor acquires such land being required for a public purpose as aforesaid;

Mines of coal, iron stone, slate or other minerals lying under the land or any particular portion of the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away or use in construction of the work for the purpose of which the land is being acquired are not needed.

This notice is given under the provisions of sub-section (1a) of section 4 read with section 5A of the West Bengal Land (Requisition and Acquisition) Act, 1948 (West Bengal Act II of 1948), to all whom it may concern.

A plan of the land may be inspected in the office of the Special Land Acquisition Officer, Burdwan.

Description of the land

Mauza Alisha, jurisdiction list No. 77, police-station Burdwan, district Burdwan.

Cadastral survey plots in full—89, 129, 134, 155 and 225 to 229.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in acres.	Area in hectare.
79	Northern	..	·19	·0769
82	Northern	..	·84	·3399
83	Middle	..	1·90	·7689
85	Northern	..	·03	·0121
86	Northern	..	·11	·0445
87	Northern	..	·23	·0930
90	Southern	..	·10	·0405
93	Southern	..	·11	·0445
95	Southern	..	·34	·1376
109	Southern	..	·13	·0526
111	Southern	..	·18	·0729
112	Southern	..	·05	·0202
128	Southern	..	·33	·1335
130	Northern	..	·36	·1457
131	North-western	..	·03	·0121
133	Northern	..	·16	·0648
135	Southern	..	·52	·2105
137	Southern	..	·28	·1133
138	Southern	..	·02	·0081
145	Southern	..	·02	·0081
146	Southern	..	·755	·3050
147	Southern	..	·32	·1295

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare
148	Northern	..	1·50	·6071
152	Northern	..	·02	·0081
153	North-western		·05	·0202
156	Northern	..	·28	·1133
157	Northern	..	·10	·0405
159	Northern	..	·02	·0081
160	Northern	..	·22	·0890
161	Northern	..	·04	·0162
212	Northern	..	·50	·2024
214	Northern	..	·04	·0162
215	Northern	..	·005	·0020
217	Northern	..	·555	·2246
223	Northern	..	·005	·0020
224	Northern	..	·18	·0729
230	Northern	..	·38	·1538
231	Northern	..	·61	·2468
234	Northern	..	·28	·1133

Mauza Gopalnagar, jurisdiction list No. 78, police-station Burdwan, district Burdwan.

Cadastral survey plot in full—173.

Cadastral survey plots in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
17	Southern	..	·06	·0243
18	Eastern	..	·12	·0486
19	Western	..	·24	·0971
20	North-western	..	·91	3682
23	Southern	..	·38	·1538
26	Southern	..	·04	·0162
155	South-eastern	..	·08	·0324
169	Southern	..	·16	·0648
170	Southern	..	·16	·0648
171	Southern	..	·15	·0607
172	Middle	..	2·94	1·1898
175	Southern	..	·33	·1335
176	Middle	..	·92	·3723
177	Middle	..	1·00	·4047
178	Northern	..	·11	·0445
179	Northern	..	·03	·0121

Mauza Bamchandaipur, jurisdiction list No. 74, police-station Burdwan, district Burdwan.

Cadastral survey plot in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
2050	Northern	..	·08	·0324

Mauza Becharhat, jurisdiction list No. 79, police-station Burdwan, district Burdwan.

Cadastral survey plot in part—

Plot No.	Specific portion of the plot.		Area in acre.	Area in hectare.
914	Middle	..	·15	·0607

By order of the Governor,
S. GHOSH,
Spl. officer and Dy. Secy. to the Govt. of West Bengal (ex officio).

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